

# EXHIBIT 5



Deposition of:  
**Katie Baker**

*July 23, 2021*

In the Matter of:  
**Jones, Adam, et al. Vs. BuzzFeed, Inc., et  
al.**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION

Case No: 7:19-CV-00403-RDP

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ADAM JONES, et al,  
Plaintiffs,  
-against-  
BUZZFEED, INC., et al,  
Defendants.

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July 23, 2021  
9:27 a.m.

Deposition of KATIE BAKER, held at the  
offices of David Wright Tremaine LLP, 1251 Avenue  
of the Americas, New York, New York, pursuant to  
Notice, before Lynne D. Metz, a Shorthand Reporter  
and Notary Public of the State of New York.

<p style="text-align: right;">Page 2</p> <p>1</p> <p>2 APPEARANCES:</p> <p>3</p> <p>4 DAVIS WRIGHT TREMAINE LLP</p> <p>5 Attorneys for Defendants</p> <p>6 1251 Avenue of the Americas</p> <p>7 New York, New York 10020</p> <p>8 BY: KATHERINE M. BOLGER, ESQ.</p> <p>9</p> <p>10</p> <p>11 COCKRELL, COCKRELL TOWNSEND &amp; RITCHEY LLP</p> <p>12 Attorneys for Plaintiffs</p> <p>13 1409 University Boulevard</p> <p>14 Tuscaloosa, Alabama 35401</p> <p>15 BY: G. SCOTCH RITCHEY, JR., ESQ.</p> <p>16 Sritchey@cctr.law</p> <p>17 BOBBY H. COCKRELL, JR., ESQ.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1</p> <p>2 KATIE BAKER,</p> <p>3 called as a witness, having been first duly sworn</p> <p>4 by the Notary Public (Lynne D. Metz), was examined</p> <p>5 and testified as follows:</p> <p>6</p> <p>7 EXAMINATION BY</p> <p>8 MR. RITCHEY:</p> <p>9 Q. Would you please introduce yourself on</p> <p>10 the record.</p> <p>11 A. My name is Katie Baker.</p> <p>12 Q. Katie, I am Scotch Ritchey. I</p> <p>13 represent Adam Jones and Josh Hastings in this</p> <p>14 case. They are the plaintiffs. I am just going</p> <p>15 to ask you a few questions about your article and</p> <p>16 some things about your investigation and so forth.</p> <p>17 I am just going to go over a few</p> <p>18 ground rules. If you need a break, just let us</p> <p>19 know. This one may take a little while, so if you</p> <p>20 need some time let me know and we will be happy to</p> <p>21 take a break.</p> <p>22 We are not over Zoom thank goodness.</p> <p>23 We are here in person, so I won't have to worry</p> <p>24 about a Zoom interference, but if you didn't hear</p> <p>25 a question, just ask me to repeat it and I will be</p>
<p style="text-align: right;">Page 3</p> <p>1</p> <p>2</p> <p>3</p> <p>4 IT IS HEREBY STIPULATED AND AGREED, by and</p> <p>5 between the attorneys for the respective parties</p> <p>6 herein, that filing and sealing be and the same</p> <p>7 are hereby waived.</p> <p>8 IT IS FURTHER STIPULATED AND AGREED</p> <p>9 that all objections, except as to the form of the</p> <p>10 question, shall be reserved to the time</p> <p>11 of the trial.</p> <p>12 IT IS FURTHER STIPULATED AND AGREED that the</p> <p>13 within deposition may be signed and sworn to</p> <p>14 before any officer authorized to administer an</p> <p>15 oath, with the same force and effect as if signed</p> <p>16 and sworn to before the officer before whom the</p> <p>17 within deposition was taken.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 K. Baker</p> <p>2 happy to do so.</p> <p>3 If you don't understand the question</p> <p>4 the same thing, ask me to clarify it and I would</p> <p>5 be happy to do so.</p> <p>6 If you will give me a second to</p> <p>7 complete my question I will give you some time to</p> <p>8 answer just so we are not talking over each other</p> <p>9 so Lynne can take down everything we say today.</p> <p>10 And if you would, just give audible</p> <p>11 answers yes or no and try to refrain from shaking</p> <p>12 your head so we can get that clean record again.</p> <p>13 If you answer, then we will assume you</p> <p>14 heard and understood the question.</p> <p>15 Is that fair?</p> <p>16 A. Yes.</p> <p>17 MS. BOLGER: I object to the form of</p> <p>18 the question. I object to that instruction</p> <p>19 but it is okay.</p> <p>20 Q. Are there any reasons why you cannot</p> <p>21 answer truthfully or fully today?</p> <p>22 A. No.</p> <p>23 Q. Is there anything that would interfere</p> <p>24 with you answering questions today?</p> <p>25 A. No.</p>

<p style="text-align: right;">Page 6</p> <p>1 K. Baker</p> <p>2 Q. Have you ever given a deposition</p> <p>3 before?</p> <p>4 A. No.</p> <p>5 Q. Other than your attorneys, have you</p> <p>6 spoken with anyone about this lawsuit against</p> <p>7 BuzzFeed, yourself and Ben Smith that was filed by</p> <p>8 my client?</p> <p>9 A. My husband and coworkers know that I</p> <p>10 am here today, but I haven't gone into details.</p> <p>11 Q. And you haven't spoken with any of</p> <p>12 your colleagues at BuzzFeed concerning this</p> <p>13 lawsuit?</p> <p>14 A. No, not in details. They know that I</p> <p>15 am taking time off from my job to be here, but</p> <p>16 that was it.</p> <p>17 Q. Have you reviewed anything in</p> <p>18 preparation for this deposition?</p> <p>19 A. Yes.</p> <p>20 Q. What have you reviewed?</p> <p>21 A. I have reviewed the article and some</p> <p>22 of the e-mails and drafts and other documents</p> <p>23 related to the article.</p> <p>24 Q. Where do you currently reside?</p> <p>25 A. London.</p>	<p style="text-align: right;">Page 8</p> <p>1 K. Baker</p> <p>2 A. I think so. I don't use it very often</p> <p>3 so I am not actually sure, but I am sure.</p> <p>4 Q. Do you know your Instagram handle?</p> <p>5 A. It is the same as my Twitter handle.</p> <p>6 Q. What is your date of birth?</p> <p>7 A. September 15, 1987.</p> <p>8 Q. I believe you said you are married?</p> <p>9 A. Yes.</p> <p>10 Q. Who are you married to?</p> <p>11 A. I am married to Max Strasser.</p> <p>12 Q. Spell that last name please?</p> <p>13 A. S-T-R-A-S-S-E-R.</p> <p>14 Q. What does he do for a living?</p> <p>15 A. He is an editor at the New York Times.</p> <p>16 Q. Does he reside with you in London?</p> <p>17 A. He does.</p> <p>18 Q. Have you had any other marriages?</p> <p>19 A. No.</p> <p>20 Q. Does he have any relatives that live</p> <p>21 in Alabama that you know of?</p> <p>22 A. No.</p> <p>23 Q. Do you have any relatives?</p> <p>24 A. No.</p> <p>25 Q. Do y'all have any children?</p>
<p style="text-align: right;">Page 7</p> <p>1 K. Baker</p> <p>2 Q. Do you have a cell phone number?</p> <p>3 MS. BOLGER: You don't need that. You</p> <p>4 can reach her through me.</p> <p>5 Q. And your e-mail address associated</p> <p>6 with BuzzFeed, what is that?</p> <p>7 A. It is katie.baker at BuzzFeed.com.</p> <p>8 Q. Do you use any other e-mail addresses</p> <p>9 for BuzzFeed work?</p> <p>10 A. No.</p> <p>11 Q. Do you have any social media accounts?</p> <p>12 A. Yes.</p> <p>13 Q. Which ones do you have?</p> <p>14 A. I have Twitter and I have Facebook and</p> <p>15 I have Instagram and I think that's it and the</p> <p>16 Facebook and Instagram are private.</p> <p>17 Q. What is your Twitter handler?</p> <p>18 A. My Twitter handle is Katie JM Baker</p> <p>19 because there are two other Katie Bakers who are</p> <p>20 journalists. It's very confusing for all of us.</p> <p>21 She writes about sports. Sometimes I get e-mails</p> <p>22 about Lacrosse which I don't often cover.</p> <p>23 Q. No Lacrosse in London?</p> <p>24 A. No.</p> <p>25 Q. Your Facebook, is that just your name?</p>	<p style="text-align: right;">Page 9</p> <p>1 K. Baker</p> <p>2 A. No.</p> <p>3 Q. Have you ever been treated for</p> <p>4 alcoholism or drug abuse?</p> <p>5 A. No.</p> <p>6 Q. Have you ever served in the military?</p> <p>7 A. No.</p> <p>8 Q. Have you ever been charged or arrested</p> <p>9 for a crime?</p> <p>10 A. No.</p> <p>11 Q. Have you ever been a party to a</p> <p>12 previous lawsuit other than this one where you</p> <p>13 were either a defendant or a plaintiff?</p> <p>14 A. No.</p> <p>15 Q. What about since this lawsuit was</p> <p>16 filed?</p> <p>17 A. No.</p> <p>18 Q. I am going to go into your employment</p> <p>19 history and I want to start out before you were</p> <p>20 with BuzzFeed. If you will just run through just</p> <p>21 the ten years previous to BuzzFeed if it was that</p> <p>22 long.</p> <p>23 A. Yes. It's been more than ten years.</p> <p>24 I will start with so after I graduated from</p> <p>25 college I worked at the San Francisco Chronicle.</p>

<p style="text-align: right;">Page 10</p> <p>1 K. Baker</p> <p>2 That was where my first job was. I started out as</p> <p>3 an assistant for the former editor and chief of</p> <p>4 the paper, Phil Braunstein and I did research,</p> <p>5 fact checking. All sorts of things.</p> <p>6 Then I started writing articles for</p> <p>7 the newspaper and I wrote front page articles. I</p> <p>8 just was a news reporter there.</p> <p>9 Then after that I worked for The Daily</p> <p>10 which was an iPad paper. I don't know if anybody</p> <p>11 remembers it. It was Murdock owned. It was kind</p> <p>12 of an experiment. Not very many people had iPads</p> <p>13 at the time. I didn't so I couldn't read it which</p> <p>14 is why I didn't work there that long because you</p> <p>15 want to be able to read your work, but I was a</p> <p>16 general assignment news reporter there as well and</p> <p>17 I also freelanced for a variety of publications;</p> <p>18 the New York Times. All sorts of places.</p> <p>19 And after that I worked for Jezebel</p> <p>20 which is a women's interest website.</p> <p>21 After that I worked for Newsweek where</p> <p>22 I was a general assignment reporter.</p> <p>23 And then I took my job at BuzzFeed and</p> <p>24 I have had a few different roles there and I've</p> <p>25 worked there for seven and a half years.</p>	<p style="text-align: right;">Page 12</p> <p>1 K. Baker</p> <p>2 A. Staff reporter.</p> <p>3 Q. Before BuzzFeed when you were working</p> <p>4 for these various organizations, did you ever</p> <p>5 write about sexual assaults or rape cases?</p> <p>6 A. Yes. I had.</p> <p>7 Q. Do you remember any of them</p> <p>8 specifically?</p> <p>9 A. We are going a long way back. I am</p> <p>10 happy to talk about specific articles if you want</p> <p>11 to.</p> <p>12 Q. That would be fine. I don't have any</p> <p>13 specific. I am just saying if you remember any</p> <p>14 off the top of your head.</p> <p>15 A. No, I am sorry.</p> <p>16 Q. That's fine.</p> <p>17 Do you know about how many you wrote</p> <p>18 before you moved to BuzzFeed?</p> <p>19 A. No, I don't.</p> <p>20 Q. Was there any reason for leaving the</p> <p>21 San Francisco Chronicle?</p> <p>22 A. I left because I wanted to move to</p> <p>23 another state. I had lived in California my</p> <p>24 entire life. Grew up in southern California.</p> <p>25 Went to college northern California. Worked at</p>
<p style="text-align: right;">Page 11</p> <p>1 K. Baker</p> <p>2 Q. I am going to go back to the San</p> <p>3 Francisco Chronicle.</p> <p>4 When did you start working there?</p> <p>5 A. I started there in 2010 and I worked</p> <p>6 there until I moved to New York in 2011. I worked</p> <p>7 there almost two years.</p> <p>8 Q. And then you moved to The Daily?</p> <p>9 A. Yes.</p> <p>10 Q. What years did you work?</p> <p>11 A. I just worked for The Daily when I got</p> <p>12 to New York from October 2011 to the Spring of</p> <p>13 2012 and then I took the job at Jezebel.</p> <p>14 Q. You started Jezebel in 2012 and then?</p> <p>15 A. I worked there until Fall of 2013.</p> <p>16 Q. And then Newsweek from Fall of 2013?</p> <p>17 A. Yes.</p> <p>18 Q. And then until?</p> <p>19 A. April 1, 2014 was when I started at</p> <p>20 BuzzFeed.</p> <p>21 Q. What were your positions at Jezebel?</p> <p>22 A. I was a staff reporter.</p> <p>23 Q. Is that the only position you held?</p> <p>24 A. Yes.</p> <p>25 Q. What about for Newsweek?</p>	<p style="text-align: right;">Page 13</p> <p>1 K. Baker</p> <p>2 the best newspaper, in my opinion, in the state.</p> <p>3 Just wanted to try new things.</p> <p>4 Q. Needed something new?</p> <p>5 A. Yes.</p> <p>6 Q. Was there any reason for leaving The</p> <p>7 Daily?</p> <p>8 A. I got the job offer at Jezebel and</p> <p>9 like I said, I didn't own an iPad and not very</p> <p>10 many people did. So it was a weird place to work</p> <p>11 because it was difficult to read my own writing.</p> <p>12 And it didn't last very long.</p> <p>13 Q. And The Daily was based in New York?</p> <p>14 A. Right at the Dow Jones Murdock</p> <p>15 building which is right there.</p> <p>16 Q. And is Jezebel based in New York as</p> <p>17 well?</p> <p>18 A. Yes. It was or is I guess.</p> <p>19 Q. Was there any reason for leaving</p> <p>20 Jezebel?</p> <p>21 A. Well, as you can see from my other</p> <p>22 jobs I always worked at newspapers and magazines</p> <p>23 and more traditional reporting outlets and Jezebel</p> <p>24 was a unique opportunity, but I wanted to go back</p> <p>25 to more traditional reporting.</p>

<p style="text-align: right;">Page 14</p> <p>1 K. Baker</p> <p>2 Q. And then Newsweek, is that based in</p> <p>3 New York?</p> <p>4 A. Yes.</p> <p>5 Q. Was there any reason for leaving</p> <p>6 Newsweek?</p> <p>7 A. I got the job offer at BuzzFeed.</p> <p>8 Q. Who offered you a job at BuzzFeed?</p> <p>9 A. Ben Smith.</p> <p>10 Q. And you started there April 1, 2014;</p> <p>11 is that right?</p> <p>12 A. Yes.</p> <p>13 Q. What was your titled position at that</p> <p>14 time?</p> <p>15 A. I believe I was just a reporter. I</p> <p>16 started out as a reporter and then they created a</p> <p>17 national desk soon after and I was a reporter on</p> <p>18 the national desk and then I was senior reporter</p> <p>19 on the national desk and then I moved to what we</p> <p>20 call the investigations desk and that's where I</p> <p>21 currently still work.</p> <p>22 Q. When you were first hired on were you</p> <p>23 associated with any particular desk?</p> <p>24 A. There wasn't really -- the desks</p> <p>25 weren't the same as they are now. I was just on</p>	<p style="text-align: right;">Page 16</p> <p>1 K. Baker</p> <p>2 A. Summer, Fall 2017 I believe.</p> <p>3 Q. Why did you move from the national</p> <p>4 desk to the investigations desk?</p> <p>5 A. One of the things I really like about</p> <p>6 BuzzFeed News is there are lots of different</p> <p>7 opportunities there and one of the reasons I</p> <p>8 stayed so long is just to get the opportunity to</p> <p>9 work with different people and have different</p> <p>10 experiences and so I just wanted to try something</p> <p>11 different.</p> <p>12 Q. Were you living in New York when the</p> <p>13 article was published?</p> <p>14 A. Yes.</p> <p>15 Q. Were you living in New York when you</p> <p>16 were doing the investigation into the article of</p> <p>17 the underlying story?</p> <p>18 A. I was based in New York but I traveled</p> <p>19 while reporting the story. I went to Alabama and</p> <p>20 I went to Texas.</p> <p>21 Q. Then when you joined the</p> <p>22 investigations desk, were you still based in New</p> <p>23 York?</p> <p>24 A. Yes.</p> <p>25 Q. Now you are currently in London; is</p>
<p style="text-align: right;">Page 15</p> <p>1 K. Baker</p> <p>2 the news team. It was a smaller -- yeah.</p> <p>3 Q. Was BuzzFeed always an online</p> <p>4 publication?</p> <p>5 A. Yes.</p> <p>6 Q. When did you move to the national</p> <p>7 desk?</p> <p>8 A. I don't recall.</p> <p>9 Q. Were you on the national desk when the</p> <p>10 article concerning the Rondini investigation was</p> <p>11 written and published?</p> <p>12 A. Yes.</p> <p>13 Q. I am just going to probably refer to</p> <p>14 that as the article.</p> <p>15 Is that okay?</p> <p>16 A. Yes.</p> <p>17 Q. Were you based in New York when you</p> <p>18 first started at BuzzFeed through your time at the</p> <p>19 national desk?</p> <p>20 A. Yes, but I traveled almost every other</p> <p>21 week. I spent lots of time all over the country</p> <p>22 because I was on the national desk, so I was</p> <p>23 reporting on and from many different states.</p> <p>24 Q. Do you know when you joined the</p> <p>25 investigations desk?</p>	<p style="text-align: right;">Page 17</p> <p>1 K. Baker</p> <p>2 that right?</p> <p>3 A. Yes.</p> <p>4 Q. When did you make that move?</p> <p>5 A. I moved to London in February 2018.</p> <p>6 Q. Any reason for that move?</p> <p>7 A. Good question. Yes. My husband's job</p> <p>8 at the New York Times they wanted him to be there</p> <p>9 and we have an investigation bureau in London and</p> <p>10 I knew the people who worked at that bureau</p> <p>11 already so it was a really easy move for me and we</p> <p>12 thought why not have a, we called it a soft</p> <p>13 adventure because they speak English and try</p> <p>14 something new.</p> <p>15 Q. Just a different dialect?</p> <p>16 A. Yes.</p> <p>17 Q. While you were on the national desk,</p> <p>18 what were your duties and responsibilities?</p> <p>19 A. My duties and responsibilities were to</p> <p>20 write stories that were of interest to our</p> <p>21 national audience.</p> <p>22 Q. And is there some kind of decision</p> <p>23 making into what goes into what the audience would</p> <p>24 think would be interesting?</p> <p>25 MS. BOLGER: Object to the form of the</p>

5 (Pages 14 - 17)



<p style="text-align: right;">Page 18</p> <p>1 K. Baker</p> <p>2 question.</p> <p>3 You can answer if you understand it.</p> <p>4 A. No, not really. It is just you -- no.</p> <p>5 Q. Is there a difference between the</p> <p>6 national desk and the investigations desk?</p> <p>7 A. So at BuzzFeed News I would say we</p> <p>8 bring the same standard of care to all of our</p> <p>9 work. So there is no difference in that regard.</p> <p>10 In an investigations desk and the national desk</p> <p>11 people often work together. It is very</p> <p>12 collaborative across teams but on the</p> <p>13 investigations desk sometimes there is like you</p> <p>14 take two years to do a project or there is a big</p> <p>15 team project. For example, the team last year did</p> <p>16 something called a Fincen, F-I-N-C-E-N, file where</p> <p>17 they partnered with over a hundred different other</p> <p>18 journalistic outlets across the world and spent</p> <p>19 two years putting a big project together. That's</p> <p>20 the type of thing the investigations desk might</p> <p>21 do. So if that makes sense.</p> <p>22 Q. At BuzzFeed, was there a separate</p> <p>23 opinions desk?</p> <p>24 MS. BOLGER: Object to the form of the</p> <p>25 question.</p>	<p style="text-align: right;">Page 20</p> <p>1 K. Baker</p> <p>2 investigations desk?</p> <p>3 A. So it was Mark, M-A-R-K, Schoofs,</p> <p>4 S-C-H-O-O-F-S. He is our editor-in-chief now and</p> <p>5 then it was Heidi Blake, H-E-I-D-I B-L-A-K-E and</p> <p>6 now it's Ariel Kaminer, A-R-I-E-L K-A-M-I-N-E-R.</p> <p>7 Q. Do you know about how many</p> <p>8 investigative reports you have written that have</p> <p>9 been published during your tenure at BuzzFeed?</p> <p>10 MS. BOLGER: Object to the form of the</p> <p>11 question. I don't quite understand what an</p> <p>12 investigative report is, but Katie can very</p> <p>13 well answer the question.</p> <p>14 A. I don't understand.</p> <p>15 Q. Do you consider that article an</p> <p>16 investigative report?</p> <p>17 A. I think all journalism could be called</p> <p>18 investigative. All investigative really means is</p> <p>19 that you are trying to get answers to your</p> <p>20 question.</p> <p>21 Q. Do you have a particular beat or area</p> <p>22 of focus at BuzzFeed?</p> <p>23 A. Currently?</p> <p>24 Q. Sure. Let's start currently.</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 19</p> <p>1 K. Baker</p> <p>2 A. No.</p> <p>3 Q. Do you remember all the desks that</p> <p>4 BuzzFeed has?</p> <p>5 A. No, I am sorry.</p> <p>6 Q. That's okay.</p> <p>7 When you were first hired on at</p> <p>8 BuzzFeed on the news team, did you have a</p> <p>9 supervisor?</p> <p>10 A. Yes.</p> <p>11 Q. Who was that?</p> <p>12 A. Lisa Tozzi, T-O-Z-Z-I.</p> <p>13 Q. Do you remember what her title or</p> <p>14 position was?</p> <p>15 A. She was the head of the news team.</p> <p>16 Q. While you were at the national desk,</p> <p>17 did you have a supervisor?</p> <p>18 A. Yes. There were a few different</p> <p>19 people.</p> <p>20 Q. Who are thy?</p> <p>21 A. The first one was Adam Serwer and then</p> <p>22 it was Tina Susman, S-U-S-M-A-N, who you know.</p> <p>23 Q. Those were the only two?</p> <p>24 A. Yes.</p> <p>25 Q. What about supervisor for the</p>	<p style="text-align: right;">Page 21</p> <p>1 K. Baker</p> <p>2 Q. What about in the past?</p> <p>3 A. It's changed, but I think in general I</p> <p>4 would say I like to report on institutions.</p> <p>5 Q. What do you mean by that?</p> <p>6 A. I am interested in how different types</p> <p>7 of institutions operate and I reported on a</p> <p>8 variety of different institutions over the course</p> <p>9 of my career.</p> <p>10 Q. Can you give me an example?</p> <p>11 A. Yes. Different institutions could</p> <p>12 include a high school, a university, a private</p> <p>13 company, a charity. That kind of thing.</p> <p>14 Q. At any point during your tenure at</p> <p>15 BuzzFeed, was your wage salary or commission based</p> <p>16 on views, hits, shares, impressions or clicks of a</p> <p>17 published article?</p> <p>18 A. Absolutely not.</p> <p>19 Q. Did you receive a promotion after you</p> <p>20 wrote and published the article?</p> <p>21 A. No.</p> <p>22 Q. Have you ever received a promotion at</p> <p>23 BuzzFeed?</p> <p>24 A. Yes.</p> <p>25 Q. When did you receive that?</p>



<p style="text-align: right;">Page 22</p> <p>1 K. Baker</p> <p>2 A. When I was -- I went from a senior --</p> <p>3 I went from a reporter on the national desk to a</p> <p>4 senior reporter but they didn't even tell me. I</p> <p>5 just noticed.</p> <p>6 Q. When did that occur?</p> <p>7 A. I honestly don't know.</p> <p>8 Q. Can you ballpark it?</p> <p>9 A. Before -- no. I would be speculating.</p> <p>10 Q. Was it before or after the article was</p> <p>11 published?</p> <p>12 A. Before.</p> <p>13 Q. Do you consider clicks, views or</p> <p>14 impressions when determining whether a particular</p> <p>15 article is good?</p> <p>16 MS. BOLGER: Object to the form of the</p> <p>17 question.</p> <p>18 You can answer it if you understand</p> <p>19 it.</p> <p>20 A. No, and something that I really like</p> <p>21 about working at BuzzFeed is that they really --</p> <p>22 that's not what they are looking for. When we are</p> <p>23 looking for good stories we look for stories that</p> <p>24 we believe are in the public interest.</p> <p>25 Q. Have you ever had a click, view,</p>	<p style="text-align: right;">Page 24</p> <p>1 K. Baker</p> <p>2 A. I attended high school in the San</p> <p>3 Fernando Valley in Southern California.</p> <p>4 Q. Was that the name of the school?</p> <p>5 A. No. The school was called Oakwood,</p> <p>6 O-A-K-W-O-O-D.</p> <p>7 Q. When did you graduate?</p> <p>8 A. I graduated in 2005.</p> <p>9 Q. Do you attend college after that?</p> <p>10 A. I did.</p> <p>11 Q. Where did you attend?</p> <p>12 A. UC Berkeley.</p> <p>13 Q. Did you graduate there?</p> <p>14 A. Yes.</p> <p>15 Q. When did you graduate?</p> <p>16 A. 2009.</p> <p>17 Q. Did you graduate with a degree?</p> <p>18 A. Yes.</p> <p>19 Q. What degree was that?</p> <p>20 A. English literature.</p> <p>21 Q. Did you have any specialization?</p> <p>22 A. No. They didn't offer that at</p> <p>23 Berkeley.</p> <p>24 Q. Did you write for the school newspaper</p> <p>25 while you were there?</p>
<p style="text-align: right;">Page 23</p> <p>1 K. Baker</p> <p>2 impression or shares quota at BuzzFeed?</p> <p>3 A. Never.</p> <p>4 MS. BOLGER: Objection to form.</p> <p>5 You can answer.</p> <p>6 A. I will wait longer.</p> <p>7 No.</p> <p>8 Q. Has anyone at BuzzFeed said your</p> <p>9 articles need more clicks, views, impressions or</p> <p>10 shares?</p> <p>11 MS. BOLGER: Objection to form.</p> <p>12 You can answer.</p> <p>13 A. Never and like I said, the thing I</p> <p>14 really like about BuzzFeed is that the goal is to</p> <p>15 report on stories in the public interest.</p> <p>16 Q. Is there a determination of what</p> <p>17 factors to consider when seeing what's in the</p> <p>18 public interest?</p> <p>19 MS. BOLGER: Objection to form.</p> <p>20 You can answer.</p> <p>21 A. No. I think it is just up to the</p> <p>22 editors and reporters.</p> <p>23 Q. We are going to get into a little bit</p> <p>24 of your education history.</p> <p>25 Where did you attend high school?</p>	<p style="text-align: right;">Page 25</p> <p>1 K. Baker</p> <p>2 A. Yes.</p> <p>3 Q. When did you start writing?</p> <p>4 A. My freshman year and I also worked at</p> <p>5 a variety of local newspapers and other outlets</p> <p>6 during my time there.</p> <p>7 Q. Do you remember what those news</p> <p>8 outlets were?</p> <p>9 A. Yes. I wrote for the San Francisco</p> <p>10 Bay Guardian. I wrote for Wired Magazine. I</p> <p>11 wrote for a number of local blogs that sadly no</p> <p>12 longer exist, but the San Francisco Appeal which</p> <p>13 was started by a former San Francisco Chronicle</p> <p>14 editor. Eastbay Express I think. Just whatever</p> <p>15 local papers I could I wanted to write for.</p> <p>16 Q. What was the name of the US Berkeley</p> <p>17 paper that you worked for?</p> <p>18 A. The Daily Californian.</p> <p>19 Q. Did you hold any other positions with</p> <p>20 The Daily Californian?</p> <p>21 A. No.</p> <p>22 Q. Just reporter?</p> <p>23 A. I just wrote for them.</p> <p>24 Q. Have you had any other education we</p> <p>25 haven't spoken about?</p>

<p style="text-align: right;">Page 26</p> <p>1 K. Baker</p> <p>2 A. In terms of what?</p> <p>3 Q. Secondary education, grad school or</p> <p>4 trade school.</p> <p>5 A. No.</p> <p>6 Q. Did you take any journalism courses at</p> <p>7 UC Berkeley?</p> <p>8 A. When I was there UC Berkeley didn't</p> <p>9 offer journalism courses to undergraduates.</p> <p>10 Q. Did they have a graduate school that</p> <p>11 offered journalism?</p> <p>12 A. They do and I tried to take the</p> <p>13 classes but they would not let me which I am still</p> <p>14 kind of upset about because why. I think that</p> <p>15 they do let undergraduates take journalism classes</p> <p>16 now which is good, but sometimes I try to sit in</p> <p>17 on the seminars.</p> <p>18 Q. Did you try to attend the graduate</p> <p>19 journalism school?</p> <p>20 A. No.</p> <p>21 Q. You haven't taken any media law</p> <p>22 courses?</p> <p>23 A. I have.</p> <p>24 Q. When have you taken those?</p> <p>25 A. In 2016 I applied to and was accepted</p>	<p style="text-align: right;">Page 28</p> <p>1 K. Baker</p> <p>2 at they always held seminars on media law and that</p> <p>3 type of thing and I have also gotten a chance to</p> <p>4 work with Pulitzer Price winning editors who</p> <p>5 taught me a lot at every place I worked at.</p> <p>6 Q. Do BuzzFeed hold any of these</p> <p>7 seminars?</p> <p>8 A. Yes.</p> <p>9 Q. Do you remember any in particular?</p> <p>10 A. I do. We held courses on no surprises</p> <p>11 which I don't know if you are familiar with the</p> <p>12 term no surprises journalism.</p> <p>13 Q. No.</p> <p>14 Would you explain that?</p> <p>15 A. Yes. So we practice no surprises</p> <p>16 journalism, which is a term which means that when</p> <p>17 reporting a story it is really crucial that we</p> <p>18 reach out to everybody who we are reporting on and</p> <p>19 we give them a chance to know what we plan to</p> <p>20 report in our story that concerns them and we give</p> <p>21 them the opportunity to respond to what we plan to</p> <p>22 report and to tell us their perspectives.</p> <p>23 Q. When do you usually reach out to these</p> <p>24 types of people?</p> <p>25 MS. BOLGER: Objection to form.</p>
<p style="text-align: right;">Page 27</p> <p>1 K. Baker</p> <p>2 to something called Journalist Law School. It is</p> <p>3 a week long course at Loyola Law School in Los</p> <p>4 Angeles and it is a week long course and you cover</p> <p>5 all aspects of the law as it pertains to</p> <p>6 journalism and you meet with judges and lawyers.</p> <p>7 It is really cool.</p> <p>8 Q. Did they have specific classes that</p> <p>9 they taught during that week?</p> <p>10 A. Yes, and I took many of them but it</p> <p>11 was five or six years ago so I don't recall</p> <p>12 anymore.</p> <p>13 Q. Just in general, do you remember what</p> <p>14 you learned at that course?</p> <p>15 A. You can look up the course's online.</p> <p>16 Q. But do you remember anything?</p> <p>17 A. Just it covered all aspects of the law</p> <p>18 and journalism. Lots of different things.</p> <p>19 Q. Have you ever taken any other courses</p> <p>20 that concern media law or journalism in general?</p> <p>21 MS. BOLGER: Objection to form.</p> <p>22 You mean courses in a formal setting?</p> <p>23 MR. RITCHEY: Yes, similar to this</p> <p>24 journalism week long course at Loyola.</p> <p>25 A. No, but at every organization I worked</p>	<p style="text-align: right;">Page 29</p> <p>1 K. Baker</p> <p>2 You can answer.</p> <p>3 A. We reach out when we know what we plan</p> <p>4 to report in our story.</p> <p>5 Q. And is there a certain time in the</p> <p>6 process of writing a story where you know what the</p> <p>7 story is about I guess? I guess do you know when</p> <p>8 in the process that you know what you are planning</p> <p>9 on reporting? Does that make sense?</p> <p>10 MS. BOLGER: Object to the form of the</p> <p>11 question for two reasons. One is I am not</p> <p>12 sure it is that clear but two, more</p> <p>13 importantly if you want to ask about this</p> <p>14 story that's fine, but to the extent that</p> <p>15 you are asking the question about other</p> <p>16 stories, Katie answer them in that general</p> <p>17 way --</p> <p>18 MR. RITCHEY: Yes, just generally.</p> <p>19 MS. BOLGER: But if you feel you can</p> <p>20 answer you can answer it, but just don't</p> <p>21 give up other information about another</p> <p>22 story.</p> <p>23 A. I don't feel like I can answer this</p> <p>24 question because every story is different.</p> <p>25 Q. What about in the article that we are</p>

<p style="text-align: right;">Page 30</p> <p>1 K. Baker</p> <p>2 here for today, when did you know what you planned</p> <p>3 to report?</p> <p>4 A. I have turned over all my e-mails to</p> <p>5 my lawyers and I know they have given them to you.</p> <p>6 So you can see that when I was ready to start</p> <p>7 reaching out to the people in the story that's</p> <p>8 when I knew.</p> <p>9 Q. What do you mean reaching out to those</p> <p>10 people?</p> <p>11 A. So you can see that I contacted let's</p> <p>12 start with Mr. Bunn. I e-mailed, texted, called</p> <p>13 repeatedly and when he didn't respond to me I sent</p> <p>14 him the no surprises letter I was describing where</p> <p>15 we lay out everything we are planning to report in</p> <p>16 the story so he would know what we are planning to</p> <p>17 report and he would have a chance to comment or</p> <p>18 clarify or share anything he wanted to with us.</p> <p>19 So I did send that to him. I didn't get a</p> <p>20 response. I reached out to his lawyer and</p> <p>21 ultimately got a statement from his lawyer and I</p> <p>22 put it in the story.</p> <p>23 So that's kind of an example how it</p> <p>24 goes. I did that process with everybody we were</p> <p>25 reporting on in the story.</p>	<p style="text-align: right;">Page 32</p> <p>1 K. Baker</p> <p>2 application. I hadn't applied for something like</p> <p>3 that in a while, so I remember hoping to get in</p> <p>4 because it sounded like a great opportunity and I</p> <p>5 did get in based on the applications that I sent.</p> <p>6 Q. I may have asked you already but have</p> <p>7 you taken any other courses where you had to apply</p> <p>8 to get into?</p> <p>9 A. About any courses at all?</p> <p>10 Q. Journalism specific.</p> <p>11 A. I can't recall.</p> <p>12 Q. Have you taken any law enforcement</p> <p>13 investigation classes or courses?</p> <p>14 A. No.</p> <p>15 Q. Have you ever investigated a sexual</p> <p>16 assault or rape?</p> <p>17 MS. BOLGER: Objection to the form of</p> <p>18 the question. She is not a police officer.</p> <p>19 She is a journalist.</p> <p>20 Q. Not a police officer?</p> <p>21 A. No. I am not a police officer.</p> <p>22 Q. Do you know the elements of rape under</p> <p>23 Alabama law?</p> <p>24 A. Yes.</p> <p>25 Q. What are they?</p>
<p style="text-align: right;">Page 31</p> <p>1 K. Baker</p> <p>2 Q. At that point did you have the story</p> <p>3 fully written?</p> <p>4 A. No, because the point of a no</p> <p>5 surprises letter is to get the perspective of the</p> <p>6 people we are reporting on. So that's why we say</p> <p>7 this is what we are planning to report but of</p> <p>8 course it could really change depending on what</p> <p>9 they tell us.</p> <p>10 Q. Do you remember any other specific</p> <p>11 seminars that BuzzFeed put on that you attended?</p> <p>12 A. I have taken multiple seminars on</p> <p>13 defamation laws. How to access public documents,</p> <p>14 court documents. So I've worked there for seven</p> <p>15 and a half years. It is hard to remember all of</p> <p>16 them.</p> <p>17 Q. Do you remember about when those two</p> <p>18 were put on?</p> <p>19 A. No.</p> <p>20 Q. The journalism law school course, was</p> <p>21 that something you had applied for?</p> <p>22 A. Yes.</p> <p>23 Q. How does that work?</p> <p>24 A. Well, sorry to brag for a second but</p> <p>25 it was very exclusive. I had to do an</p>	<p style="text-align: right;">Page 33</p> <p>1 K. Baker</p> <p>2 A. Well, it's been some time since I</p> <p>3 wrote the story, but I know that as I put in my</p> <p>4 story people must prove that they earnestly</p> <p>5 resisted their attacker.</p> <p>6 Q. And do you know what earnest</p> <p>7 resistance requires?</p> <p>8 A. I do.</p> <p>9 Q. What is that?</p> <p>10 A. So again, I can't recite the law off</p> <p>11 the top of my head but I understood it clearly at</p> <p>12 the time I reported the story and I claimed the</p> <p>13 law in my story.</p> <p>14 Q. Have you ever taken any class or</p> <p>15 course on criminal law of Alabama?</p> <p>16 MS. BOLGER: Object to the form of the</p> <p>17 question.</p> <p>18 You can answer.</p> <p>19 A. No, but I spoke with multiple experts</p> <p>20 for my story to make sure I understood the law.</p> <p>21 Q. Who did you speak with?</p> <p>22 A. I spoke with a lot of different</p> <p>23 experts for this story. I spoke with experts from</p> <p>24 the International Association of Chiefs of Police.</p> <p>25 I spoke with experts in forensic nursing. I spoke</p>

<p style="text-align: right;">Page 34</p> <p>1 K. Baker</p> <p>2 with law professors. And I spoke with other</p> <p>3 academics who specialize in the law for sexual</p> <p>4 assault and policing.</p> <p>5 Q. Were any of those from Alabama?</p> <p>6 A. Yes.</p> <p>7 Q. Who?</p> <p>8 A. So I spoke with Meg McGlamery</p> <p>9 (phonetic) and I spoke with a number of other</p> <p>10 people. Their names would be in the e-mails. It</p> <p>11 is hard to recall exactly how to spell them five</p> <p>12 years later, but I spoke with a number of other</p> <p>13 people who worked at state organizations.</p> <p>14 I spoke with two people from the</p> <p>15 forensic toxicology lab in Alabama. I remember</p> <p>16 their first names not their last names. Angelo</p> <p>17 Delamana and Curtis something. Those are two</p> <p>18 people I spoke with. And so those are some</p> <p>19 examples.</p> <p>20 Q. Who is Meg McGlamery?</p> <p>21 A. She was an expert in sexual assault</p> <p>22 forensic examiners I believe but I don't recall</p> <p>23 exactly. I would have to go back and check.</p> <p>24 I also spoke with -- she wasn't from</p> <p>25 Alabama. Sorry.</p>	<p style="text-align: right;">Page 36</p> <p>1 K. Baker</p> <p>2 A. Yes. I consulted with the experts who</p> <p>3 I just told you.</p> <p>4 Q. But were any of them specifically tell</p> <p>5 you about the elements of rape laws in Alabama?</p> <p>6 MS. BOLGER: Object to the form of the</p> <p>7 question. Asked and answered.</p> <p>8 You can answer it again Katie.</p> <p>9 A. Yes.</p> <p>10 Q. Which ones told you about the</p> <p>11 elements?</p> <p>12 A. So Meg McGlamery, for example.</p> <p>13 Q. And she was a sexual assault examiners</p> <p>14 expert?</p> <p>15 MS. BOLGER: Objection to form.</p> <p>16 That's not what she testified to.</p> <p>17 MR. RITCHEY: I'm sorry.</p> <p>18 Q. Tell me --</p> <p>19 A. Since this story was five years ago I</p> <p>20 would feel more confident referring you to look</p> <p>21 them up and see exactly what their titles were.</p> <p>22 Q. That's fine.</p> <p>23 I am just trying to figure out what</p> <p>24 did they tell you?</p> <p>25 A. I wanted to understand what the</p>
<p style="text-align: right;">Page 35</p> <p>1 K. Baker</p> <p>2 Q. Do you remember who you spoke with</p> <p>3 from the IACP?</p> <p>4 A. I do. I remember his first name. It</p> <p>5 is in my e-mails. I also spoke with someone</p> <p>6 called Tom Trembley, who is a former police chief</p> <p>7 who is an expert on policing and sexual assault</p> <p>8 and the laws nationwide.</p> <p>9 Q. What do you mean he is an expert in</p> <p>10 the laws nationwide; what do you mean by that?</p> <p>11 A. I mean that he is an expert in rape</p> <p>12 law and consults nationwide. I am sure you can</p> <p>13 look up his bio which would be better explained.</p> <p>14 Q. Was he based out of Alabama?</p> <p>15 A. No.</p> <p>16 Q. Do you know if he had any experience</p> <p>17 in investigating criminal cases in Alabama?</p> <p>18 A. I don't know because that's not what I</p> <p>19 was asking him about. I was asking him about rape</p> <p>20 laws nationwide.</p> <p>21 Q. Did he provide you with any</p> <p>22 information about Alabama rape laws?</p> <p>23 A. I can't recall.</p> <p>24 Q. Did you consult with any experts</p> <p>25 concerning Alabama rape laws?</p>	<p style="text-align: right;">Page 37</p> <p>1 K. Baker</p> <p>2 process is for people who are reporting rape in</p> <p>3 Alabama and understanding the law.</p> <p>4 Q. And what did she tell you about that?</p> <p>5 A. I can't recall, but I would say the</p> <p>6 best information I got on this issue came from</p> <p>7 Captain Hood actually because we had a long back</p> <p>8 and forth about Alabama rape law and he was really</p> <p>9 generous with his time and laid out exactly what</p> <p>10 it means not to meet the criteria of rape in</p> <p>11 Alabama.</p> <p>12 Q. Do you remember what organization Meg</p> <p>13 McGlamery was with?</p> <p>14 A. I can't recall but like I said, my</p> <p>15 best information came from Captain Gary Hood.</p> <p>16 Q. Did you every consult with an attorney</p> <p>17 that has not been retained by you concerning rape</p> <p>18 or sexual assault under Alabama law?</p> <p>19 A. I did.</p> <p>20 Q. Who was that?</p> <p>21 A. Early on in my investigation I asked</p> <p>22 Leroy Maxwell about Alabama rape law.</p> <p>23 Q. What did he tell you?</p> <p>24 A. I honestly don't recall. It was very</p> <p>25 early on in my investigation. Like I said, I</p>

<p style="text-align: right;">Page 38</p> <p>1 K. Baker</p> <p>2 asked lots and lots of people but the things</p> <p>3 that's strongest in my memory because it is in</p> <p>4 that e-mail exchange is with Captain Gary Hood.</p> <p>5 Q. Do you remember the first time you</p> <p>6 reached out to Leroy Maxwell?</p> <p>7 A. Yes.</p> <p>8 Q. When was that?</p> <p>9 A. You have my e-mails, but it was around</p> <p>10 early January.</p> <p>11 Q. That would have been 2016?</p> <p>12 A. Early January 2017. I believe around</p> <p>13 that time.</p> <p>14 Q. Who gave you his name?</p> <p>15 MS. BOLGER: I am going to object to</p> <p>16 the form of the question.</p> <p>17 To the extent that it calls for</p> <p>18 information that was provided to you by a</p> <p>19 confidential source, you know how to deal</p> <p>20 with that if it was. If not obviously you</p> <p>21 can testify about it.</p> <p>22 For the record, it is not a memory</p> <p>23 test. You have all these documents and you</p> <p>24 are welcome to show them to her.</p> <p>25 MR. RITCHEY: I am not trying to give</p>	<p style="text-align: right;">Page 40</p> <p>1 K. Baker</p> <p>2 laws or the elements of rape or sexual assault in</p> <p>3 Alabama?</p> <p>4 MS. BOLGER: Object to the form of the</p> <p>5 question. Asked and answered.</p> <p>6 You can answer it again.</p> <p>7 A. Yes. Like I said, I don't recall.</p> <p>8 What I recall the most strongly is learning really</p> <p>9 clearly about the elements of rape law from</p> <p>10 Captain Gary Hood.</p> <p>11 Q. Did you ever become aware that Leroy</p> <p>12 Maxwell was representing the Rondini family?</p> <p>13 A. Shortly before my story I learned</p> <p>14 that, yes.</p> <p>15 Q. And when you say shortly before the</p> <p>16 story?</p> <p>17 A. Before it published. Sorry.</p> <p>18 Q. And do you remember how you came to be</p> <p>19 aware of that?</p> <p>20 A. I don't.</p> <p>21 Q. Have we covered any other attorneys</p> <p>22 that have not been retained by you concerning rape</p> <p>23 or sexual assault in Alabama?</p> <p>24 MS. BOLGER: Objection to form.</p> <p>25 A. I don't remember.</p>
<p style="text-align: right;">Page 39</p> <p>1 K. Baker</p> <p>2 her a memory test. I am just trying to get</p> <p>3 a timeline in my head going.</p> <p>4 MS. BOLGER: The documents would be</p> <p>5 helpful in that respect.</p> <p>6 MR. RITCHEY: I understand.</p> <p>7 A. Because I reported on this story for</p> <p>8 over six months five years ago, it is just a bit</p> <p>9 difficult. That's why it is easiest for me to</p> <p>10 remember the things that happened at the end like</p> <p>11 the Gary Hood interview and stuff like that. But</p> <p>12 I am happy to look at the e-mail I first sent to</p> <p>13 him if that's easier.</p> <p>14 Q. I am trying to see what you remember.</p> <p>15 Do you have any strong recollection of</p> <p>16 what he told you, anything that stood out?</p> <p>17 A. So I reached out to him early on</p> <p>18 because I was just doing general research. I</p> <p>19 didn't really know what I was writing about yet at</p> <p>20 all and I was interested in learning more about</p> <p>21 another case and somebody told me he was the</p> <p>22 lawyer for the other case. So I wasn't talking to</p> <p>23 him about the article or about Megan Rondini. I</p> <p>24 was just doing some general research.</p> <p>25 Q. And did he ever share with you the</p>	<p style="text-align: right;">Page 41</p> <p>1 K. Baker</p> <p>2 Q. To the best of your recollection, have</p> <p>3 we talked about it all?</p> <p>4 MS. BOLGER: Objection to form.</p> <p>5 A. I just can't recall.</p> <p>6 Q. Do you consider yourself an</p> <p>7 investigative reporter?</p> <p>8 A. Yes, but like I said, I think that all</p> <p>9 reporting is investigative.</p> <p>10 Q. Is there a category of reporting or I</p> <p>11 know in previous depositions they used featured as</p> <p>12 a category that the article would fit into.</p> <p>13 Would you agree with that or is there</p> <p>14 something else you would classify it as?</p> <p>15 MS. BOLGER: Object to the form of the</p> <p>16 question.</p> <p>17 A. I don't know what I would classify it</p> <p>18 as.</p> <p>19 Q. Just a story?</p> <p>20 A. An article.</p> <p>21 Q. Would an opinion story be different</p> <p>22 from the article?</p> <p>23 MS. BOLGER: Objection to form.</p> <p>24 If you understand it you can answer.</p> <p>25 A. I don't.</p>



<p style="text-align: right;">Page 42</p> <p>1 K. Baker</p> <p>2 Do you mean in general or what do you</p> <p>3 mean?</p> <p>4 Q. Yes. Like an editorial or something</p> <p>5 where you would, a writer would share his or her</p> <p>6 opinion.</p> <p>7 MS. BOLGER: Object to the form of the</p> <p>8 question.</p> <p>9 A. What's the question?</p> <p>10 Q. So would an opinion story or an</p> <p>11 editorial be something separate or different than</p> <p>12 what the article would be considered?</p> <p>13 MS. BOLGER: Object to the form of the</p> <p>14 question.</p> <p>15 A. Sorry. It is a general question. I</p> <p>16 don't really know how to answer it.</p> <p>17 Q. Did you share any opinions in the</p> <p>18 article?</p> <p>19 A. I don't think that my story has my</p> <p>20 opinion in it. I think that my story has truthful</p> <p>21 and accurate facts in it.</p> <p>22 Q. If your story had opinions in it,</p> <p>23 would that be something that would be disclosed to</p> <p>24 the reader?</p> <p>25 MS. BOLGER: Object to the form of the</p>	<p style="text-align: right;">Page 44</p> <p>1 K. Baker</p> <p>2 stories?</p> <p>3 MS. BOLGER: Object to the form of the</p> <p>4 question. I literally don't understand how</p> <p>5 you include bias, but if you do Katie you</p> <p>6 can answer.</p> <p>7 A. What do you mean by bias?</p> <p>8 Q. Just your own views of an event.</p> <p>9 A. Like I said, I don't think my opinion</p> <p>10 was in the story. I think that I reported on</p> <p>11 truthful and accurate facts.</p> <p>12 Q. Do you know what framing is?</p> <p>13 A. No.</p> <p>14 Do you mind if I go to the bathroom?</p> <p>15 I'll be right back.</p> <p>16 MS. BOLGER: Let's take -- it's almost</p> <p>17 an hour. If you have a line of questioning</p> <p>18 I am sure Katie can wait until you finish it</p> <p>19 off, then we can break.</p> <p>20 MR. RITCHEY: Why don't we go ahead</p> <p>21 and take one.</p> <p>22 (Recess taken.)</p> <p>23 BY MR. RITCHEY:</p> <p>24 Q. Did you refer the Rondini family to</p> <p>25 Leroy Maxwell?</p>
<p style="text-align: right;">Page 43</p> <p>1 K. Baker</p> <p>2 question.</p> <p>3 If you understand it you can answer.</p> <p>4 A. I don't understand it. I am sorry.</p> <p>5 Q. So if you had, based on your</p> <p>6 experience as a writer in journalism, if you had</p> <p>7 included opinions in a story, would those be</p> <p>8 disclosed to the reader as such?</p> <p>9 MS. BOLGER: Same question. I</p> <p>10 generally don't understand it.</p> <p>11 If you understand it Katie you can</p> <p>12 answer it, but I object.</p> <p>13 A. No, I'm sorry. I don't understand.</p> <p>14 Q. In your writing do you ever include</p> <p>15 your opinions?</p> <p>16 A. In general?</p> <p>17 Q. Yes.</p> <p>18 A. I have written stories. I wrote</p> <p>19 something for the -- in other jobs yes, in the</p> <p>20 past but at BuzzFeed in general I don't really</p> <p>21 think my opinions are in the stories. I think</p> <p>22 that I report on truthful and accurate facts and</p> <p>23 then readers can draw their own conclusions from</p> <p>24 those facts.</p> <p>25 Q. Do you generally include bias in your</p>	<p style="text-align: right;">Page 45</p> <p>1 K. Baker</p> <p>2 A. No.</p> <p>3 Q. Do you know who did?</p> <p>4 A. I don't know.</p> <p>5 Q. Did you reach out to Leroy Maxwell</p> <p>6 first or did he reach out to you first?</p> <p>7 A. I reached out to him really early on</p> <p>8 because I was interested in writing about another</p> <p>9 case and he was the lawyer in the other case.</p> <p>10 Q. Who decided what was written or</p> <p>11 published in the article?</p> <p>12 MS. BOLGER: Object to the form of the</p> <p>13 question.</p> <p>14 You can answer if you understand.</p> <p>15 A. Sorry.</p> <p>16 What's the question?</p> <p>17 MR. RITCHEY: Do you mind repeating</p> <p>18 that?</p> <p>19 (Record read.)</p> <p>20 A. In this article or in general?</p> <p>21 Q. Right, in this article.</p> <p>22 A. I think at BuzzFeed an article is a</p> <p>23 collaboration between the reporter, fact checker,</p> <p>24 editors, legal. So all that goes into the</p> <p>25 article.</p>

<p style="text-align: right;">Page 46</p> <p>1 K. Baker</p> <p>2 Q. Do you remember who those people were</p> <p>3 for the article?</p> <p>4 A. Yes. So me and then Tina Carroll. I</p> <p>5 am sorry, Marisa Carroll and then Tina Susman and</p> <p>6 then I will not be able to spell Sharmila's name.</p> <p>7 She is a fact checker Sharmila and I know I am not</p> <p>8 allowed to speak about anything related to my</p> <p>9 lawyer.</p> <p>10 Q. Don't worry about that.</p> <p>11 A. So I would say it was Marisa, Tina and</p> <p>12 Sharmila.</p> <p>13 MS. BOLGER: For the record, the names</p> <p>14 of the lawyers are Nabiha Fyed and Matthew</p> <p>15 Schafer so you understand who they are from</p> <p>16 the document.</p> <p>17 Q. Can we just go through the process</p> <p>18 from start to end on how a story would be</p> <p>19 investigated, written, all the way through</p> <p>20 publication?</p> <p>21 MS. BOLGER: I will object to the form</p> <p>22 of the question.</p> <p>23 You can answer a general question if</p> <p>24 you feel you can but do not talk about any</p> <p>25 article other than this one in specifics.</p>	<p style="text-align: right;">Page 48</p> <p>1 K. Baker</p> <p>2 health counselor, the therapist at the university</p> <p>3 and this person told me that there is a</p> <p>4 possibility that I could get documentation that</p> <p>5 explained exactly what happened at all those</p> <p>6 institutions and as someone who is interested in</p> <p>7 institutions I thought it would be interesting to</p> <p>8 try and obtain all those documents and report on</p> <p>9 what happened next.</p> <p>10 Q. I don't want to get into the</p> <p>11 confidential source, so if this reveals too much</p> <p>12 information let me know, but is this person</p> <p>13 someone close to the Rondini family?</p> <p>14 A. I really just can't say anything about</p> <p>15 them.</p> <p>16 Q. After you heard about Megan Rondini's</p> <p>17 story from the confidential source, what did you</p> <p>18 do after that?</p> <p>19 A. I spoke with Mike Rondini on the</p> <p>20 phone.</p> <p>21 Q. Do you remember about when that</p> <p>22 happened?</p> <p>23 A. December 2016 I believe, but that</p> <p>24 would be in the documentation you have.</p> <p>25 Q. Do you remember anything specific that</p>
<p style="text-align: right;">Page 47</p> <p>1 K. Baker</p> <p>2 A. Every story is really different. I am</p> <p>3 happy to get into specifics about this article but</p> <p>4 it would be really hard for me to speak generally.</p> <p>5 Q. Let's do this article then and go</p> <p>6 through the whole process from start to end.</p> <p>7 A. It was a six-month process. If you</p> <p>8 could ask me specific questions that would be much</p> <p>9 easier.</p> <p>10 Q. How did you first hear about the</p> <p>11 article? I am sorry.</p> <p>12 How did you first hear about Megan</p> <p>13 Rondini?</p> <p>14 A. I first heard about Megan Rondini from</p> <p>15 a confidential source. Someone I promised</p> <p>16 confidentiality to.</p> <p>17 Q. And what did they tell you about Megan</p> <p>18 Rondini?</p> <p>19 A. As a journalist who is interested in</p> <p>20 institutions, I love reporting on public documents</p> <p>21 because I think that's the best way to tell a</p> <p>22 story. What they told me about Megan Rondini was</p> <p>23 that she had reported what she believed to be rape</p> <p>24 to multiple institutions, to the police</p> <p>25 department, to the hospital and to the mental</p>	<p style="text-align: right;">Page 49</p> <p>1 K. Baker</p> <p>2 he said during that telephone conversation?</p> <p>3 A. I don't at this point. It was so long</p> <p>4 ago.</p> <p>5 Q. Do you remember what the general</p> <p>6 conversation was about?</p> <p>7 A. It was about Megan Rondini and what</p> <p>8 happened to her after she reported what she</p> <p>9 believed to be rape to the police, the hospital</p> <p>10 and the therapist.</p> <p>11 Q. And after you spoke with him in</p> <p>12 potentially 2016, what did you do after that?</p> <p>13 A. After that I started just doing some</p> <p>14 really general research. When I start a story I</p> <p>15 just kind of look into as much stuff as I can. I</p> <p>16 tell people to send me whatever they want and I</p> <p>17 started just figuring out what I wanted to do</p> <p>18 next.</p> <p>19 Q. Do you remember what that research was</p> <p>20 or where it went?</p> <p>21 A. You have everything that I had.</p> <p>22 Q. And after this general research, what</p> <p>23 did you do?</p> <p>24 A. I went to meet with Mike and Cindy</p> <p>25 Rondini in person.</p>



<p style="text-align: right;">Page 50</p> <p>1 K. Baker</p> <p>2 Q. Do you remember about when that was?</p> <p>3 A. It was in January 2017 I believe.</p> <p>4 Q. Did you go to Austin for that?</p> <p>5 A. They live -- I flew into Austin and</p> <p>6 they live about an hour outside of Austin, to my</p> <p>7 recollection.</p> <p>8 Q. How long were you there with the</p> <p>9 Rondinis?</p> <p>10 A. I remember meeting with them one time.</p> <p>11 I was reporting on another story in Texas. So I</p> <p>12 was in Texas longer, but I wasn't just there to</p> <p>13 meet with the Rondinis, is my recollection.</p> <p>14 Q. What do you remember about the</p> <p>15 conversations with the Rondinis at that time?</p> <p>16 MS. BOLGER: Object to the form of the</p> <p>17 question. If there was more than one</p> <p>18 conversation.</p> <p>19 MR. RITCHEY: I am sorry.</p> <p>20 A. We had one conversation. I remember</p> <p>21 going to their home and speaking with them for</p> <p>22 about an hour and I remember I was really eager to</p> <p>23 know what documentation they had that they could</p> <p>24 give me because they weren't there at the time of</p> <p>25 when Megan reported what she believed to be rape</p>	<p style="text-align: right;">Page 52</p> <p>1 K. Baker</p> <p>2 Just so for my clarity and correct me</p> <p>3 if I am wrong, when you went to go meet with the</p> <p>4 Rondinis, and that would have been in January of</p> <p>5 2017, they had a few documents; correct?</p> <p>6 A. They had -- I would be guessing.</p> <p>7 MS. BOLGER: It is not a memory test.</p> <p>8 You have these documents.</p> <p>9 A. But you know what they were.</p> <p>10 MS. BOLGER: You can show her the</p> <p>11 documents. It is not a memory test.</p> <p>12 MR. RITCHEY: I am just trying to find</p> <p>13 out when we got what we got.</p> <p>14 A. It should be in the e-mail that you</p> <p>15 have.</p> <p>16 Q. He shared the documents with you via</p> <p>17 e-mail?</p> <p>18 A. You would have everything that I had.</p> <p>19 I can't remember off the top of my head. It was</p> <p>20 January 2017.</p> <p>21 Q. But everything that has been produced</p> <p>22 to us you had before the article was published; is</p> <p>23 that right?</p> <p>24 A. What do you mean everything?</p> <p>25 MS. BOLGER: For the record, the</p>
<p style="text-align: right;">Page 51</p> <p>1 K. Baker</p> <p>2 and I wanted the documents and that was my goal.</p> <p>3 So I was there to kind of assess how many</p> <p>4 documents they could give me.</p> <p>5 Q. What documents could they give you or</p> <p>6 what documents did they give you?</p> <p>7 A. So you have everything that I</p> <p>8 received. As I am sure you know, I received the</p> <p>9 bulk of the documents that I got five months after</p> <p>10 that. So those documents were most crucial to my</p> <p>11 story and they are the ones that are clearest to</p> <p>12 my mind. So it is hard to remember what I got</p> <p>13 before those documents.</p> <p>14 Q. Explain that to me. I got lost.</p> <p>15 A. So I had a few documents at the</p> <p>16 beginning but I would be guessing if I told you</p> <p>17 exactly what they were because in or around May or</p> <p>18 June, so almost half a year later I got -- Mike</p> <p>19 Rondini subpoenaed the police and got a lot of</p> <p>20 documents from the police that he gave to me and</p> <p>21 so those are the documents that are freshest in my</p> <p>22 mind but I can't remember exactly what else I got</p> <p>23 when before then.</p> <p>24 Does that make sense?</p> <p>25 Q. I think I got it now.</p>	<p style="text-align: right;">Page 53</p> <p>1 K. Baker</p> <p>2 document requests say we drew a hard line on</p> <p>3 the discovery dates for these articles. So</p> <p>4 you have nothing -- everything in the</p> <p>5 production was obtained by BuzzFeed before</p> <p>6 the publication of the article period.</p> <p>7 A. The articles.</p> <p>8 Q. After you met with the Rondinis, what</p> <p>9 did you do next?</p> <p>10 A. After I met with the Rondinis, I</p> <p>11 planned a trip to Tuscaloosa.</p> <p>12 Q. Do you remember about when that was?</p> <p>13 A. It was shortly after, but the dates</p> <p>14 would be in my e-mails.</p> <p>15 Q. How long did you stay in Tuscaloosa?</p> <p>16 A. I spent time both in Tuscaloosa and in</p> <p>17 Birmingham and in some other areas of the state.</p> <p>18 Q. Was that all in connection to the</p> <p>19 Rondini story?</p> <p>20 A. Yes, and I believe I was there for</p> <p>21 around a week but the exact dates would be in my</p> <p>22 e-mails.</p> <p>23 Q. Where did you go in Alabama I guess</p> <p>24 since you went to other places than just</p> <p>25 Tuscaloosa?</p>

<p style="text-align: right;">Page 54</p> <p>1 K. Baker</p> <p>2 A. To a confidential source, so I can't</p> <p>3 say.</p> <p>4 Q. Did that confidential source tell you</p> <p>5 anything?</p> <p>6 A. I can't say because it is</p> <p>7 confidential.</p> <p>8 Q. Did they give you anything about the</p> <p>9 Rondini investigation?</p> <p>10 A. I can't comment on what the</p> <p>11 confidential source told me. I am sorry.</p> <p>12 Q. Just, I am not trying to get --</p> <p>13 MS. BOLGER: Can we just take a break</p> <p>14 and let me talk to her?</p> <p>15 MR. RITCHEY: Yes.</p> <p>16 (Recess taken.)</p> <p>17 MS. BOLGER: The confidential source</p> <p>18 that Katie is referring to did not provide</p> <p>19 her information that's contained in the</p> <p>20 story.</p> <p>21 BY MR. RITCHEY:</p> <p>22 Q. Did a confidential source provide any</p> <p>23 information about the Rondini investigation?</p> <p>24 A. No.</p> <p>25 Q. Totally separate person or</p>	<p style="text-align: right;">Page 56</p> <p>1 K. Baker</p> <p>2 MR. RITCHEY: I am just trying to make</p> <p>3 it clear. I'm just so confused.</p> <p>4 MR. COCKRELL: Let's make it clear.</p> <p>5 It is not part of the story?</p> <p>6 MS. BOLGER: It is not part of the</p> <p>7 story.</p> <p>8 MR. COCKRELL: Not part of the</p> <p>9 investigation.</p> <p>10 MS. BOLGER: Not part of the</p> <p>11 investigation.</p> <p>12 MR. RITCHEY: I got it now.</p> <p>13 BY MR. RITCHEY:</p> <p>14 Q. So after you met with this</p> <p>15 confidential source, what did you do in Tuscaloosa</p> <p>16 or Birmingham, where did you go next?</p> <p>17 A. I met with a variety of people across</p> <p>18 the two places. I interviewed about a half dozen</p> <p>19 of Megan's friends. I spoke with a woman Amy, I</p> <p>20 don't know how to spell her last name, Gunlach</p> <p>21 Foster and she was the head of Turning Point</p> <p>22 Crisis Center in Tuscaloosa and she no longer</p> <p>23 works -- she left her job before my story</p> <p>24 published, but at the time that was her job so I</p> <p>25 interviewed her about her job and about the</p>
<p style="text-align: right;">Page 55</p> <p>1 K. Baker</p> <p>2 information, nothing to do with the articles?</p> <p>3 MS. BOLGER: There is no information</p> <p>4 from the source in the story is all she is</p> <p>5 going to tell you about the confidential</p> <p>6 source.</p> <p>7 MR. RITCHEY: Okay.</p> <p>8 BY MR. RITCHEY:</p> <p>9 Q. But did they say anything about the</p> <p>10 investigation of Rondini?</p> <p>11 MS. BOLGER: No. The information</p> <p>12 obtained from this source is not in the</p> <p>13 story.</p> <p>14 MR. RITCHEY: I get that.</p> <p>15 Q. What I am asking though is did the</p> <p>16 source say anything about the Rondini</p> <p>17 investigation that the police undertook?</p> <p>18 A. No.</p> <p>19 Q. So had nothing to do with the Rondini</p> <p>20 investigation that our officers --</p> <p>21 MS. BOLGER: She is done with the</p> <p>22 answer. You know it is not in the story and</p> <p>23 you know it wasn't about the Rondini</p> <p>24 investigation and anything else is going to</p> <p>25 be --</p>	<p style="text-align: right;">Page 57</p> <p>1 K. Baker</p> <p>2 hospital and just to get some general information</p> <p>3 and you have the notes of that. And I met with</p> <p>4 Leroy Maxwell because he was representing this</p> <p>5 other woman and I was interested in possibly</p> <p>6 meeting this other woman and learning more about</p> <p>7 her case, but he wouldn't connect me with her and</p> <p>8 he didn't give me any information so that didn't</p> <p>9 go very far.</p> <p>10 And I think that pretty much sums it</p> <p>11 up.</p> <p>12 Q. What did Megan's friends tell you?</p> <p>13 MS. BOLGER: Object to the form of the</p> <p>14 question.</p> <p>15 Go ahead if you can answer.</p> <p>16 A. So my story was about the</p> <p>17 investigation into what Megan reported what she</p> <p>18 believed to be rape and how different institutions</p> <p>19 handled those claims and so at the time I was</p> <p>20 still waiting on documents so I just was trying to</p> <p>21 get more general information. I just let them</p> <p>22 talk to me about whatever they wanted to talk</p> <p>23 about. There are lots of different things that</p> <p>24 they said.</p> <p>25 Q. Do you remember anything specific that</p>

<p style="text-align: right;">Page 58</p> <p>1 K. Baker</p> <p>2 they said?</p> <p>3 A. It's hard for me to generalize. They</p> <p>4 just told me about her feelings about the</p> <p>5 investigation. Her feelings about leaving</p> <p>6 Alabama. That kind of thing.</p> <p>7 Q. What were her feelings about the</p> <p>8 investigation?</p> <p>9 A. I think they are accurately</p> <p>10 represented in my story.</p> <p>11 Q. What were her feelings about leaving</p> <p>12 Alabama?</p> <p>13 A. I also think those are accurately</p> <p>14 represented in my story.</p> <p>15 Q. Did Amy Gunlach Foster ever talk to</p> <p>16 you about Josh Hastings?</p> <p>17 A. Not that I recall. I don't include</p> <p>18 her in my story because she left her job and I</p> <p>19 couldn't get in touch with her.</p> <p>20 Q. Did you ever become aware that Josh</p> <p>21 Hastings was on the board of Turning Point?</p> <p>22 A. No, I didn't know that.</p> <p>23 Q. After you met with these people we</p> <p>24 just discussed, what did you do next?</p> <p>25 A. Next I tried to put together all the</p>	<p style="text-align: right;">Page 60</p> <p>1 K. Baker</p> <p>2 A. To my home, yes.</p> <p>3 Q. And then after that, what comes next</p> <p>4 in the process?</p> <p>5 A. So then I just sat down and tried to</p> <p>6 understand what I had known so far and what I had</p> <p>7 been told. At this point I was still trying to</p> <p>8 get a lot of information. I didn't have much of</p> <p>9 anything that would ultimately be in my story, so</p> <p>10 I just kind of tried to figure out what I had,</p> <p>11 what I needed, what my next steps were.</p> <p>12 Q. What came after that?</p> <p>13 A. After that well, you can see from my</p> <p>14 e-mails but I spent a lot of time interviewing</p> <p>15 experts about best practices to understand whether</p> <p>16 the institutions that Megan reported to what they</p> <p>17 did. How the processes worked. I spent a lot of</p> <p>18 time doing that. I spent a lot of time chasing</p> <p>19 done data from Captain Hood and I spent a lot of</p> <p>20 time trying to obtain more documentation because I</p> <p>21 felt that I couldn't report my story and fully</p> <p>22 understand what happened until I had more</p> <p>23 documentation from the police and from the</p> <p>24 hospital and from the DA and from the therapist.</p> <p>25 So I really just -- this is a lot of</p>
<p style="text-align: right;">Page 59</p> <p>1 K. Baker</p> <p>2 information I had so far to see what else I needed</p> <p>3 to do to report my story.</p> <p>4 Q. So you left Tuscaloosa and Alabama</p> <p>5 after that?</p> <p>6 A. After I was done with the reporting</p> <p>7 trip, yes.</p> <p>8 Q. Did you ever visit any of the places</p> <p>9 mentioned in the article?</p> <p>10 A. Yes. I went to Innisfree and I went</p> <p>11 to -- I just kind of generally tried to get a feel</p> <p>12 for the area.</p> <p>13 Q. Did you travel around a little bit?</p> <p>14 A. Yes.</p> <p>15 Q. What did you do at Innisfree?</p> <p>16 A. I interviewed two of Megan's friends</p> <p>17 that were with her around the time that she filed</p> <p>18 her report.</p> <p>19 Q. Do you remember anything specific</p> <p>20 about that interview?</p> <p>21 A. I think the most accurate information</p> <p>22 is the information I included in my story. That's</p> <p>23 what I remember the clearest.</p> <p>24 Q. So you leave Alabama and you come back</p> <p>25 to New York after that?</p>	<p style="text-align: right;">Page 61</p> <p>1 K. Baker</p> <p>2 -- maybe it's similar to being a lawyer, but it is</p> <p>3 funny months went by, what was I doing. I was</p> <p>4 just trying to get all this information.</p> <p>5 Q. I think you mentioned you were trying</p> <p>6 to get data from Hood?</p> <p>7 A. Yes.</p> <p>8 Q. What was the purpose of that?</p> <p>9 A. I wanted to make sure I had accurate</p> <p>10 statistics in my article.</p> <p>11 Q. Was there a reason you put statistics</p> <p>12 in the article?</p> <p>13 A. I think statistics are really</p> <p>14 interesting to readers. They are publicly</p> <p>15 available documentation and I just think they are</p> <p>16 in the public interest.</p> <p>17 Q. So you are getting all the documents</p> <p>18 and everything.</p> <p>19 What comes next?</p> <p>20 A. Well, I wrote a few different drafts</p> <p>21 just to see where I was in my story and in my</p> <p>22 thinking.</p> <p>23 THE WITNESS: Can I ask you a question</p> <p>24 about the confidential source?</p> <p>25 MS. BOLGER: Just finish this answer.</p>

<p style="text-align: right;">Page 62</p> <p>1 K. Baker</p> <p>2 A. I spent a lot of time tracking -- I am</p> <p>3 trying to think about how to say this without</p> <p>4 breaking confidentiality which I won't, don't</p> <p>5 worry. I just spent a lot of time working on the</p> <p>6 story chasing down leads. As a journalist people</p> <p>7 tell you things and then you try and find public</p> <p>8 documents the corroboration, the data for it. I</p> <p>9 was doing that but I can't get into all the</p> <p>10 details.</p> <p>11 Q. Did you write your first draft of this</p> <p>12 article before receiving those subpoenaed</p> <p>13 documents that Mike Rondini obtained?</p> <p>14 A. So the way the drafts work is they are</p> <p>15 not for publication at all. They are just kind of</p> <p>16 like a memo to yourself so you can kind of</p> <p>17 understand where you are in the story because</p> <p>18 otherwise you just have all this stuff floating</p> <p>19 around and you don't know how it is organized and</p> <p>20 you can't tell what you have to do next. So I</p> <p>21 wrote drafts but they were just based on the</p> <p>22 information I had. They weren't for publication.</p> <p>23 Q. But you did have some drafts before</p> <p>24 you received the subpoenas, subpoenaed information</p> <p>25 from Mike Rondini?</p>	<p style="text-align: right;">Page 64</p> <p>1 K. Baker</p> <p>2 say the article was going to be published?</p> <p>3 A. I think those decisions happen above</p> <p>4 my head. I usually file the story. We do the</p> <p>5 editing, fact checking, legal process and then it</p> <p>6 publishes. So I don't know what other decisions</p> <p>7 are made.</p> <p>8 Q. At BuzzFeed have you ever had a story</p> <p>9 that you have written that hasn't been published</p> <p>10 just in general?</p> <p>11 MS. BOLGER: Object to the form of the</p> <p>12 question.</p> <p>13 You can answer.</p> <p>14 A. Not that I recall. I have never had a</p> <p>15 story, we call it killed if that's what you mean.</p> <p>16 I never wanted to publish a story and had someone</p> <p>17 say I couldn't publish it, no.</p> <p>18 Q. You say in some of the documents the</p> <p>19 use of a content management system or CMS.</p> <p>20 Do you know what that is?</p> <p>21 A. Yes.</p> <p>22 Q. What is that?</p> <p>23 A. The CMS is the way that you -- I am</p> <p>24 not very technical. That's how I -- I write my</p> <p>25 draft in a Google doc and then at some point my</p>
<p style="text-align: right;">Page 63</p> <p>1 K. Baker</p> <p>2 A. Yes, but they were very different from</p> <p>3 the story I published and they were not meant for</p> <p>4 publication.</p> <p>5 Q. Did you ever have to run the article</p> <p>6 by anyone higher up than you in BuzzFeed?</p> <p>7 MS. BOLGER: Object to the form of the</p> <p>8 question. I don't quite understand what you</p> <p>9 mean by higher up.</p> <p>10 You can answer it Katie if you</p> <p>11 understand it.</p> <p>12 A. I don't understand what you mean.</p> <p>13 Q. Did any supervisor or anyone in</p> <p>14 management have to approve the article?</p> <p>15 A. I don't know what you mean by approve.</p> <p>16 Q. For publication.</p> <p>17 Did they have to say yes, we are going</p> <p>18 to publish this or no, we are not going to publish</p> <p>19 this?</p> <p>20 A. The way publication works is you have</p> <p>21 an editor and a fact checker and we legally vet</p> <p>22 our articles. So my editors read the story and</p> <p>23 edited it and the fact checker fact checked it and</p> <p>24 I can't speak about the legal setting.</p> <p>25 Q. Who would have the final decision to</p>	<p style="text-align: right;">Page 65</p> <p>1 K. Baker</p> <p>2 editor would put it into the CMS and then the</p> <p>3 final changes are made in the CMS, but that's not</p> <p>4 something that I do.</p> <p>5 Q. Who makes the changes in the CMS?</p> <p>6 A. The editors, copy editors, art design.</p> <p>7 That type of thing.</p> <p>8 Q. When the article gets put into the</p> <p>9 CMS, is it basically done other than some</p> <p>10 grammatical changes?</p> <p>11 A. No.</p> <p>12 Q. Does the content of the story change</p> <p>13 in the CMS when it gets put into the CMS?</p> <p>14 MS. BOLGER: Objection to form.</p> <p>15 You can answer.</p> <p>16 A. Are you talking about this article?</p> <p>17 Q. This article.</p> <p>18 A. I don't recall. It is very common to</p> <p>19 put a draft in CMS and not publish it for months.</p> <p>20 Sometimes it does get put in right away. It</p> <p>21 really varies. I don't remember what happened in</p> <p>22 this case. It doesn't matter.</p> <p>23 Q. Why not?</p> <p>24 A. Why would it?</p> <p>25 Q. I don't know. I don't know the</p>



<p style="text-align: right;">Page 66</p> <p>1 K. Baker</p> <p>2 process.</p> <p>3 A. Sorry. I just mean I guess I don't</p> <p>4 really know because I don't make those decisions,</p> <p>5 but it's just -- I don't really know.</p> <p>6 Q. When this article got put into the CMS</p> <p>7 you made no changes after that, you personally?</p> <p>8 MS. BOLGER: Object to the form of the</p> <p>9 question.</p> <p>10 A. I don't remember.</p> <p>11 MS. BOLGER: I will just repeat for</p> <p>12 the record that you have all drafts and</p> <p>13 everything from the CMS.</p> <p>14 A. Putting something in the CMS doesn't</p> <p>15 mean something special. It is just another way to</p> <p>16 look at what the story might look like one day.</p> <p>17 Q. I am just wondering because it sounds</p> <p>18 like when it got put into the CMS you don't really</p> <p>19 touch it anymore.</p> <p>20 It is editors and copy editors that</p> <p>21 touch and change it; is that right or am I wrong</p> <p>22 in that?</p> <p>23 A. It is the editors who put it into the</p> <p>24 CMS and make the changes, but I can go into the</p> <p>25 CMS if I want to.</p>	<p style="text-align: right;">Page 68</p> <p>1 K. Baker</p> <p>2 MS. BOLGER: Objection to form.</p> <p>3 You can answer if you understand.</p> <p>4 A. I don't really understand the</p> <p>5 question. Once we compiled I did some reporting.</p> <p>6 I reached out to everybody in the story for</p> <p>7 comment. Then I incorporated their comments and</p> <p>8 anything I needed to change into the story and</p> <p>9 then we published the story.</p> <p>10 Q. So you gathered facts all the way up</p> <p>11 to publish?</p> <p>12 A. Yes.</p> <p>13 Q. What was the purpose of publishing the</p> <p>14 article?</p> <p>15 MS. BOLGER: Object to the form of the</p> <p>16 question. I don't understand it.</p> <p>17 You can answer if you do.</p> <p>18 A. I don't understand what you mean the</p> <p>19 purpose.</p> <p>20 Q. Was there a reason you decided to look</p> <p>21 into the story that was published in the article?</p> <p>22 MS. BOLGER: Objection to form.</p> <p>23 A. I thought it was in the public</p> <p>24 interest. My story was about a woman who believed</p> <p>25 that she was raped and what happened when she did</p>
<p style="text-align: right;">Page 67</p> <p>1 K. Baker</p> <p>2 Q. Do you regularly do that for your</p> <p>3 articles?</p> <p>4 A. Not really. Sometimes I like to see</p> <p>5 what it looks like in CMS because it has -- like</p> <p>6 to see a photo or something, but I don't spend</p> <p>7 much time in there.</p> <p>8 Q. So it shows like a final version of it</p> <p>9 in CMS, what it would look like on the BuzzFeed</p> <p>10 page?</p> <p>11 A. Sometimes. It is a little wonky. I</p> <p>12 really can't speak to the CMS that well. That's</p> <p>13 not my side of the production.</p> <p>14 Q. Is there ever a time when your</p> <p>15 investigation into the story in the article</p> <p>16 stopped?</p> <p>17 A. Do you mean before publication or</p> <p>18 after publication?</p> <p>19 Q. Just general. I am not sure when that</p> <p>20 would happen.</p> <p>21 MS. BOLGER: I am sorry.</p> <p>22 Could you ask the question again?</p> <p>23 Q. Is there a time where you would stop</p> <p>24 gathering information for the article in this</p> <p>25 circumstance?</p>	<p style="text-align: right;">Page 69</p> <p>1 K. Baker</p> <p>2 what people who -- when people are raped they are</p> <p>3 generally called to do two things, go to the</p> <p>4 hospital and go to the police and that's exactly</p> <p>5 what Megan did and my story was about the</p> <p>6 different institutions she reported that to and</p> <p>7 what happened next.</p> <p>8 Q. Do you often write stories that</p> <p>9 concern sexual assault or rapes?</p> <p>10 A. What do you mean by often?</p> <p>11 Q. Regularly.</p> <p>12 A. I have written about them in the past.</p> <p>13 Q. Would you consider that part of your</p> <p>14 focus?</p> <p>15 A. I see my focus as institutional</p> <p>16 injustice.</p> <p>17 Q. What does that mean?</p> <p>18 A. Just how institutions handle</p> <p>19 complaints of misconduct, but not just sexual</p> <p>20 misconduct.</p> <p>21 Q. What other misconduct would that --</p> <p>22 A. I reported stories on mental health</p> <p>23 issues on college campuses. I just did a real big</p> <p>24 project on the charity, the World Wildlife Fund,</p> <p>25 the WWF and there were reports that they were</p>

<p style="text-align: right;">Page 70</p> <p>1 K. Baker</p> <p>2 funding paramilitary groups in Africa and Asia</p> <p>3 that were torturing and killing indigenous people</p> <p>4 and so there are the local villagers in places</p> <p>5 like Cameroon and Nepal were making complaints</p> <p>6 that they were being beaten up and tortured and</p> <p>7 stuff like that and those complaints were going</p> <p>8 ignored.</p> <p>9 So that's an example of an</p> <p>10 institution, the charity and complaints from the</p> <p>11 villagers.</p> <p>12 Q. Going back to when you were in</p> <p>13 Tuscaloosa and Alabama, did you have to ask</p> <p>14 permission from anyone to visit Tuscaloosa or</p> <p>15 Alabama?</p> <p>16 MS. BOLGER: Objection to form.</p> <p>17 A. At my job?</p> <p>18 Q. Yes, at BuzzFeed.</p> <p>19 A. I wouldn't call it asking permission.</p> <p>20 I told them I wanted to go.</p> <p>21 Q. Who did you tell?</p> <p>22 A. My editors.</p> <p>23 Q. That would have been Marisa and Tina?</p> <p>24 A. Correct.</p> <p>25 Q. Did anyone accompany you to Alabama?</p>	<p style="text-align: right;">Page 72</p> <p>1 K. Baker</p> <p>2 Q. What was that?</p> <p>3 A. I think it is accurately reflected in</p> <p>4 the article.</p> <p>5 Q. I don't know.</p> <p>6 A. Mike Rondini is quoted in the article.</p> <p>7 Q. As what you are saying he told you?</p> <p>8 A. I think that's an accurate</p> <p>9 representation.</p> <p>10 Q. Is there anything that wasn't</p> <p>11 mentioned in the article that he told you?</p> <p>12 A. I am happy to answer specific</p> <p>13 questions, but four and a half years later it is</p> <p>14 hard to answer so generally.</p> <p>15 Q. Did you ever speak with Valentina</p> <p>16 Restrepo?</p> <p>17 A. Yes. I e-mailed with her.</p> <p>18 Q. Who is that?</p> <p>19 A. So Valentina is a college friend of my</p> <p>20 sister-in-law's and I met her once at a barbecue</p> <p>21 2013.</p> <p>22 Q. Does she live in Alabama?</p> <p>23 A. She was a public defender in</p> <p>24 Birmingham at the time.</p> <p>25 Q. Did she share any information with you</p>
<p style="text-align: right;">Page 71</p> <p>1 K. Baker</p> <p>2 A. No.</p> <p>3 Q. Did you ever speak with any of Miss</p> <p>4 Rondini's family other than that initial contact</p> <p>5 we discussed earlier?</p> <p>6 A. I just spoke with her parents. I</p> <p>7 don't recall speaking to anybody else in her</p> <p>8 family.</p> <p>9 Q. Do you know how many times you spoke</p> <p>10 with her parents?</p> <p>11 A. I don't know.</p> <p>12 Q. Would this have been over the phone or</p> <p>13 e-mail?</p> <p>14 A. You have the e-mails between me and</p> <p>15 Mike Rondini. So you would know the number.</p> <p>16 Q. Do you remember any phone calls?</p> <p>17 A. I can't recall it was so long ago.</p> <p>18 Q. Did they ever share with you what they</p> <p>19 thought happened in the investigation?</p> <p>20 MS. BOLGER: Objection to form. It's</p> <p>21 a very vague question.</p> <p>22 Katie, but you can answer if you want.</p> <p>23 A. They shared with me their feelings</p> <p>24 about what happened when Megan reported what she</p> <p>25 believed was rape, yes.</p>	<p style="text-align: right;">Page 73</p> <p>1 K. Baker</p> <p>2 about the Rondini investigation?</p> <p>3 A. You have my e-mails with her. So you</p> <p>4 can see what she said to me. It was just via</p> <p>5 e-mail.</p> <p>6 Q. Did you ever meet her in person or</p> <p>7 talk to her over the phone?</p> <p>8 A. I don't believe so.</p> <p>9 Q. Did anyone else help assist you in</p> <p>10 gathering information or facts for the article?</p> <p>11 A. What do you mean?</p> <p>12 Q. Like was anyone else gathering facts</p> <p>13 for the article other than you?</p> <p>14 MS. BOLGER: Do you mean at BuzzFeed?</p> <p>15 MR. RITCHEY: At BuzzFeed. I am</p> <p>16 sorry.</p> <p>17 A. Yes, Alex Campbell.</p> <p>18 Q. Did you ask him for help on the</p> <p>19 article?</p> <p>20 A. We were considering working on the</p> <p>21 story together, but he ended up moving to London</p> <p>22 and so he couldn't work on the story any longer.</p> <p>23 Q. Had y'all worked on stories before?</p> <p>24 A. Yes.</p> <p>25 Q. Do you know about how many?</p>

<p style="text-align: right;">Page 74</p> <p>1 K. Baker</p> <p>2 A. Just a few stories, but just one main</p> <p>3 story and some followup stories based on that one.</p> <p>4 Q. Is that the Baltimore one?</p> <p>5 A. Yes. I think that was it. There may</p> <p>6 have been more that I don't remember, but I think</p> <p>7 that was it.</p> <p>8 Q. Did you ever speak to Adam Jones and</p> <p>9 Josh Hastings prior to the publication of the</p> <p>10 article?</p> <p>11 A. I tried really hard. I sent them mail</p> <p>12 like snail mail, no surprises questions. I called</p> <p>13 the police department. I tried really hard to</p> <p>14 speak with them directly but I was told that the</p> <p>15 best person to speak with was Captain Hood and he</p> <p>16 would speak for everybody.</p> <p>17 Q. Was all the information and facts that</p> <p>18 you gathered included in the article?</p> <p>19 A. Sorry.</p> <p>20 Like all of the information and facts?</p> <p>21 Q. Yes.</p> <p>22 A. No. That's not how journalism works.</p> <p>23 Q. Explain to me what that is.</p> <p>24 A. In the course of an investigation like</p> <p>25 this one where you work for six months, you gather</p>	<p style="text-align: right;">Page 76</p> <p>1 K. Baker</p> <p>2 Q. And then when I refer to the audio</p> <p>3 interviews, do you know what I am talking about</p> <p>4 there?</p> <p>5 MS. BOLGER: I am going to object to</p> <p>6 that actually. There were so many audio</p> <p>7 interviews. She won't answer questions</p> <p>8 about (inaudible).</p> <p>9 Q. The TJ Bunn audio interview on July 2,</p> <p>10 2015?</p> <p>11 MS. BOLGER: If that's what you are</p> <p>12 going to ask, these specific questions, you</p> <p>13 either got to show her or (inaudible) but</p> <p>14 she is not just going to answer questions</p> <p>15 generally about specific documents.</p> <p>16 Q. Based on the source material that you</p> <p>17 gathered, what do you think happened the night of</p> <p>18 July 1, 2015 and into the morning of July 2, 2015</p> <p>19 in regards to interactions between Miss Rondini</p> <p>20 and TJ Bunn?</p> <p>21 MS. BOLGER: Object to the form.</p> <p>22 You can answer.</p> <p>23 A. My story wasn't about what happened</p> <p>24 between the two of them. My story was about what</p> <p>25 happened when Megan Rondini reported what she</p>
<p style="text-align: right;">Page 75</p> <p>1 K. Baker</p> <p>2 all sorts of information, documentation. At the</p> <p>3 end you have to determine what is relevant and</p> <p>4 pertinent so that readers can understand what</p> <p>5 happened and what you are reporting on but if you</p> <p>6 include everything it would be a million words.</p> <p>7 Q. What was relevant and pertinent in the</p> <p>8 article?</p> <p>9 A. The facts that I included.</p> <p>10 Q. And those are the only ones?</p> <p>11 A. We included what we believed were the</p> <p>12 most accurate and relevant facts related to what</p> <p>13 the story was about which was a story about what</p> <p>14 happened to Megan Rondini when she reported what</p> <p>15 she believed was a sexual assault and what</p> <p>16 happened when she reported that to different</p> <p>17 institutions including the police, the hospital</p> <p>18 and a mental health counselor at the university</p> <p>19 and what happened after that.</p> <p>20 Q. If I refer to the felony packet, do</p> <p>21 you understand what I am talking about?</p> <p>22 A. Yes.</p> <p>23 Q. Is that part of the subpoena documents</p> <p>24 that Mike Rondini gave you?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 77</p> <p>1 K. Baker</p> <p>2 believed to be a rape to different institutions</p> <p>3 including the police department, the hospital and</p> <p>4 the mental health counselor at the university and</p> <p>5 what happened after that.</p> <p>6 Q. But what do you believe happened</p> <p>7 during that time period I just said?</p> <p>8 MS. BOLGER: Objection. Has no</p> <p>9 bearing on the story, but go ahead.</p> <p>10 A. Again, that wasn't what my story was</p> <p>11 about. My story was about what happened when</p> <p>12 Megan reported what she believed to be a rape and</p> <p>13 what happened as a result of that report.</p> <p>14 Q. I get that. I know what the story is</p> <p>15 about. I want to know your personal thoughts</p> <p>16 about it.</p> <p>17 A. I don't think my opinion is in the</p> <p>18 story and especially because my story wasn't about</p> <p>19 that. My story was about the investigation.</p> <p>20 Q. I am still trying to get an answer to</p> <p>21 my question.</p> <p>22 MS. BOLGER: I am going to object.</p> <p>23 You can answer Katie.</p> <p>24 A. I don't think I will ever know what</p> <p>25 happened between them. That wasn't the focus of</p>



<p style="text-align: right;">Page 78</p> <p>1 K. Baker</p> <p>2 my investigation. I wasn't trying to determine</p> <p>3 what happened between them. I was looking at what</p> <p>4 happened when she reported what she believed to be</p> <p>5 a rape.</p> <p>6 Q. When the article was published did you</p> <p>7 think investigators Jones and Hastings built a</p> <p>8 case against Miss Rondini?</p> <p>9 MS. BOLGER: Object to the form of the</p> <p>10 question, but you can answer.</p> <p>11 A. I am sorry. I don't really understand</p> <p>12 what you mean.</p> <p>13 Q. Just asking do you think they were</p> <p>14 trying to build a case against Miss Rondini to</p> <p>15 frame her as a suspect?</p> <p>16 A. I didn't report that in my story.</p> <p>17 Do you want to talk about what is in</p> <p>18 my story?</p> <p>19 Q. No. I want to know what you thought</p> <p>20 about at the time of the publication.</p> <p>21 A. I reported in my story truthful and</p> <p>22 accurate facts of what took place and we can talk</p> <p>23 about what's in the story. I think that would be</p> <p>24 easier.</p> <p>25 Q. I want to know what your subjective</p>	<p style="text-align: right;">Page 80</p> <p>1 K. Baker</p> <p>2 actually told me that the case against Megan</p> <p>3 didn't go to a Grand Jury, but that was</p> <p>4 inaccurate. I learned they did and they true</p> <p>5 billed her after her death.</p> <p>6 Q. Still trying to get into --</p> <p>7 A. Do I -- sorry.</p> <p>8 Q. Still trying to get an answer into</p> <p>9 your thoughts at the time of the publication.</p> <p>10 Did you think Investigator Jones and</p> <p>11 Investigator Hastings built a criminal case</p> <p>12 against Miss Rondini?</p> <p>13 A. I thought they read her her Miranda</p> <p>14 rights and I thought that they put together a</p> <p>15 report alleging that she committed those crimes</p> <p>16 because I read it in the felony packet and I saw</p> <p>17 it in an interview.</p> <p>18 Q. But you don't believe they built a</p> <p>19 case against Miss Rondini?</p> <p>20 A. Can I talk about what I reported on</p> <p>21 the story?</p> <p>22 MS. BOLGER: Objection. She's asked</p> <p>23 for a document. Show her her story.</p> <p>24 Q. I can read what's in the story. I</p> <p>25 want to know what was in your head.</p>
<p style="text-align: right;">Page 79</p> <p>1 K. Baker</p> <p>2 opinion was at the time of publication?</p> <p>3 A. I don't think my opinion is in the</p> <p>4 story. I think I reported on facts.</p> <p>5 Q. But I want to know.</p> <p>6 A. You wanted my opinion of what?</p> <p>7 MS. BOLGER: What's the question?</p> <p>8 Q. I want to know at the time that the</p> <p>9 article was published, do you think that</p> <p>10 Investigator Jones and Hastings built a case</p> <p>11 against Miss Rondini?</p> <p>12 MS. BOLGER: Outside the story, is</p> <p>13 that the question?</p> <p>14 MR. RITCHEY: Yes.</p> <p>15 Q. I am trying to get into your specific</p> <p>16 thoughts.</p> <p>17 A. A case for what?</p> <p>18 Q. A case against, criminal case against</p> <p>19 her.</p> <p>20 A. For what?</p> <p>21 Q. For the gun incident, alleged taking</p> <p>22 money. All those things that were mentioned in</p> <p>23 the story.</p> <p>24 A. Well, I had the felony packet and I</p> <p>25 talked to Captain Hood about that and Captain Hood</p>	<p style="text-align: right;">Page 81</p> <p>1 K. Baker</p> <p>2 MS. BOLGER: The witness has asked to</p> <p>3 see a document and there is no reason to not</p> <p>4 show her the document she's asked you for.</p> <p>5 MR. RITCHEY: Mark this as Plaintiffs'</p> <p>6 Exhibit 122.</p> <p>7 (Plaintiffs' Exhibit 122, a printed</p> <p>8 out article, marked for identification, as</p> <p>9 of this date.)</p> <p>10 Q. Katie, we are going to show you what</p> <p>11 has been marked as Plaintiffs' Exhibit 122.</p> <p>12 Can we just identify it for the</p> <p>13 record?</p> <p>14 A. It is a printed out article. My</p> <p>15 article that I wrote.</p> <p>16 Do you want to ask me your question</p> <p>17 again or read it back to me?</p> <p>18 Q. Yes. The time the article was</p> <p>19 published, did you personally believe that</p> <p>20 Investigator Jones and Investigator Hastings built</p> <p>21 a criminal case against Miss Rondini?</p> <p>22 A. I believed, as I reported, they</p> <p>23 started building a case against her because I saw</p> <p>24 they read her her Miranda rights and I read in the</p> <p>25 felony packet that they included the case where TJ</p>

<p style="text-align: right;">Page 82</p> <p>1 K. Baker</p> <p>2 Bunn is the victim and Megan is the suspect and</p> <p>3 detailed the allegations and they also questioned</p> <p>4 her about the allegations in the interview and</p> <p>5 like I said, there was a lot of documentation that</p> <p>6 that case was brought to a Grand Jury. I, of</p> <p>7 course, ran that by Captain Hood and he told me it</p> <p>8 wasn't, but I later found out that that was</p> <p>9 inaccurate information he gave me and it did go to</p> <p>10 a Grand Jury.</p> <p>11 Q. You said they true billed her?</p> <p>12 A. Yes.</p> <p>13 Q. Where did you learn that information</p> <p>14 from?</p> <p>15 A. I learned that --</p> <p>16 MS. BOLGER: From documents produced</p> <p>17 in this litigation.</p> <p>18 Q. At the time the article was published,</p> <p>19 did you think it was Investigator Jones and</p> <p>20 Hasting's job to investigate the alleged crimes</p> <p>21 that Miss Rondini committed?</p> <p>22 A. I am sorry.</p> <p>23 Do you mind reading that question back</p> <p>24 to me or telling it again?</p> <p>25 (Record read.)</p>	<p style="text-align: right;">Page 84</p> <p>1 K. Baker</p> <p>2 Bunn had held her down by the hips and that she</p> <p>3 said verbally informed him that she didn't want to</p> <p>4 have sex with him. They didn't follow up on that.</p> <p>5 They didn't interview her friends even</p> <p>6 though she gave them their contact information.</p> <p>7 They didn't obtain her blood and urine</p> <p>8 sample despite best practices.</p> <p>9 They offered her a refusal to</p> <p>10 prosecute form within half a day after she</p> <p>11 reported her rape despite best practices.</p> <p>12 There are a number of things the</p> <p>13 police could have done differently, but I don't</p> <p>14 think my opinion is in the story. I think there's</p> <p>15 facts in my story.</p> <p>16 Q. What's the basis that Bunn tampered</p> <p>17 with the crime scene?</p> <p>18 A. According to the reports he closed a</p> <p>19 window and they let him -- he lied and said Megan</p> <p>20 hadn't been there that night and then he closed a</p> <p>21 window and that is tampering with the crime scene.</p> <p>22 Q. Other than the windows any other</p> <p>23 basis?</p> <p>24 MS. BOLGER: Objection to form.</p> <p>25 A. I think that is the basis.</p>
<p style="text-align: right;">Page 83</p> <p>1 K. Baker</p> <p>2 A. Yes. Captain Hood told me it was</p> <p>3 their job and I saw them doing the job. So I mean</p> <p>4 I don't think my opinions are in the story. I</p> <p>5 think I was reporting on facts and factually that</p> <p>6 was the job that they were doing.</p> <p>7 Q. Do you believe that Investigator Jones</p> <p>8 or Investigator Hastings did anything wrong when</p> <p>9 they investigated the alleged crimes committed by</p> <p>10 Miss Rondini?</p> <p>11 MS. BOLGER: Object to the form of the</p> <p>12 question. What does wrong mean?</p> <p>13 You can answer if you know what it</p> <p>14 means.</p> <p>15 A. Well like I said, I don't think my</p> <p>16 opinions are in the story. I think there are</p> <p>17 facts in the story. There are a number of things</p> <p>18 that I think the police could have done</p> <p>19 differently. For example, Bunn lied to them when</p> <p>20 they originally went to interview him. Megan had</p> <p>21 never been there. He tampered at the crime scene</p> <p>22 but they let him go on a four-day fishing trip</p> <p>23 with his lawyer and they didn't arrest him or take</p> <p>24 his phone or take him in for questioning until</p> <p>25 after that. They didn't follow up Megan said that</p>	<p style="text-align: right;">Page 85</p> <p>1 K. Baker</p> <p>2 Q. The time the article was published did</p> <p>3 you believe that Investigator Jones or Hastings</p> <p>4 had enough evidence to arrest or detain Bunn?</p> <p>5 MS. BOLGER: Object to the form of the</p> <p>6 question. She is not a cop.</p> <p>7 You can answer the question.</p> <p>8 A. I would have said the same thing. I</p> <p>9 am not a police officer.</p> <p>10 Q. So you wouldn't know either way?</p> <p>11 A. No, I wouldn't know. I believe that</p> <p>12 lying to a police officer is a crime but I am not</p> <p>13 a police officer.</p> <p>14 Q. The time the article was published did</p> <p>15 you believe Investigator Jones or Hastings</p> <p>16 threatened charges against Miss Rondini?</p> <p>17 MS. BOLGER: Object to the form of the</p> <p>18 question.</p> <p>19 A. Again, my opinion is not in the story.</p> <p>20 My story just includes truthful facts.</p> <p>21 Q. I got that part. I am still asking</p> <p>22 for your personal thoughts on this, not what's in</p> <p>23 the story.</p> <p>24 A. Sorry.</p> <p>25 What was the question again?</p>

<p style="text-align: right;">Page 86</p> <p>1 K. Baker</p> <p>2 Q. The time the article was published,</p> <p>3 did you believe that Investigator Jones or</p> <p>4 Hastings threatened charges against Miss Rondini?</p> <p>5 A. I didn't report that they threatened</p> <p>6 charges against her.</p> <p>7 Q. So that's a no?</p> <p>8 A. My opinion is not in the story and I</p> <p>9 am just trying to remember. It is five years ago.</p> <p>10 No, I don't believe they threatened her.</p> <p>11 Q. The time the article was published did</p> <p>12 you believe Investigator Jones or Investigator</p> <p>13 Hastings covered up any crime that may have been</p> <p>14 committed by TJ Bunn?</p> <p>15 A. No.</p> <p>16 Q. Do you know if Investigator Jones or</p> <p>17 Hastings led the investigation of the charges</p> <p>18 filed against Miss Rondini?</p> <p>19 MS. BOLGER: Object to the form of the</p> <p>20 question.</p> <p>21 You can answer.</p> <p>22 A. I know that they led the investigation</p> <p>23 into Megan's rape allegations and I know that she</p> <p>24 told them about what happened with the gun and</p> <p>25 Jones read her her Miranda rights and started</p>	<p style="text-align: right;">Page 88</p> <p>1 K. Baker</p> <p>2 did you believe that Investigator Jones or</p> <p>3 Hastings did not take Miss Rondini's allegations</p> <p>4 against Bunn seriously?</p> <p>5 A. Well, as I said before, I do think</p> <p>6 there are a number of things that the police could</p> <p>7 have done differently. I am happy to list them</p> <p>8 all again if you would like me to.</p> <p>9 Q. That's fine.</p> <p>10 Do you want to answer that question</p> <p>11 that would be great?</p> <p>12 MS. BOLGER: Objection. Asked and</p> <p>13 answered. That is the answer.</p> <p>14 You can do it again.</p> <p>15 A. I think there are a number of things</p> <p>16 they could have done differently starting with</p> <p>17 when Bunn lied to them. I don't want to waste</p> <p>18 your time listing them all again.</p> <p>19 Q. And I am not asking what you think</p> <p>20 they should have done differently.</p> <p>21 Do you think they took the</p> <p>22 investigation seriously?</p> <p>23 MS. BOLGER: You can answer.</p> <p>24 A. I think they could have done a number</p> <p>25 of different things differently and that's my</p>
<p style="text-align: right;">Page 87</p> <p>1 K. Baker</p> <p>2 questioning her and I know that Jones' name is on</p> <p>3 the felony packet which includes those charges or</p> <p>4 the complaint and that's all that's reported in my</p> <p>5 story, I believe.</p> <p>6 Q. Did you ever ask for or attain a</p> <p>7 felony packet for the charges against Miss</p> <p>8 Rondini?</p> <p>9 A. I didn't know there was a separate</p> <p>10 felony packet. So in this felony packet I</p> <p>11 received it includes the charges against her. It</p> <p>12 said Bunn was the suspect. I'm sorry. That was</p> <p>13 an error. It said Bunn was the victim and Megan</p> <p>14 was the suspect and there was a lot of information</p> <p>15 in that felony packet about that case.</p> <p>16 Like I said, Captain Hood told me that</p> <p>17 the case against Megan never went to a Grand Jury.</p> <p>18 I had now learned that that wasn't true and there</p> <p>19 was a separate packet but I have no way of knowing</p> <p>20 that.</p> <p>21 Q. When did you learn there was a second</p> <p>22 packet?</p> <p>23 MS. BOLGER: In the course of this</p> <p>24 litigation as I just said.</p> <p>25 Q. At the time the article was published</p>	<p style="text-align: right;">Page 89</p> <p>1 K. Baker</p> <p>2 answer.</p> <p>3 Q. That's a different question.</p> <p>4 I am just asking you do you think they</p> <p>5 took it seriously?</p> <p>6 MS. BOLGER: Object to the form of the</p> <p>7 question. She now answered it twice.</p> <p>8 You can answer it again.</p> <p>9 MR. RITCHEY: I think she is answering</p> <p>10 a different question I had. Not the same.</p> <p>11 MS. BOLGER: I don't agree.</p> <p>12 Katie can answer it again.</p> <p>13 A. I'm sorry. I'm not trying to be</p> <p>14 difficult, but I think the most accurate thing for</p> <p>15 me to say is I think they could have done a number</p> <p>16 of things differently.</p> <p>17 Q. At the time the article was published,</p> <p>18 did you believe investigators treated Miss</p> <p>19 Rondini's allegations differently because they</p> <p>20 were listed as a special inquiry as opposed to if</p> <p>21 they were actually listed as a crime under the</p> <p>22 Alabama code?</p> <p>23 MS. BOLGER: Object to the form of the</p> <p>24 question, but if you get it you can answer.</p> <p>25 A. I reported in the story Captain Hood</p>

<p style="text-align: right;">Page 90</p> <p>1 K. Baker</p> <p>2 told me special inquiries are treated the same as</p> <p>3 other crimes and I included that information in my</p> <p>4 story.</p> <p>5 Q. And that's what you thought at the</p> <p>6 time of the publication as well?</p> <p>7 MS. BOLGER: Object to the form of the</p> <p>8 question. That's not what she said.</p> <p>9 You can answer the question.</p> <p>10 A. What was the question again?</p> <p>11 MR. RITCHEY: Do you mind repeating</p> <p>12 that?</p> <p>13 MS. BOLGER: The question itself was</p> <p>14 not clear. So if you want to re-ask. I am</p> <p>15 going to object to it so if you want to ask</p> <p>16 it again.</p> <p>17 BY MR. RITCHEY:</p> <p>18 Q. You mentioned Captain Hood had put in</p> <p>19 that all investigators treat special inquiry like</p> <p>20 any other crime.</p> <p>21 Did you believe that as well as at the</p> <p>22 time of the publication of the article?</p> <p>23 A. I had no reason to believe that</p> <p>24 Captain Hood would give me inaccurate information.</p> <p>25 Q. At the time the article was published,</p>	<p style="text-align: right;">Page 92</p> <p>1 K. Baker</p> <p>2 MR. RITCHEY: Caused.</p> <p>3 A. Sorry.</p> <p>4 Could you ask that question again?</p> <p>5 MR. RITCHEY: Do you mind reading that</p> <p>6 back please?</p> <p>7 (Record read.)</p> <p>8 A. As I keep saying I think the police</p> <p>9 could have done a number of things differently,</p> <p>10 but I didn't report that in my story that they did</p> <p>11 that. My story was about Megan and what happened</p> <p>12 to her after she reported what she believed to be</p> <p>13 rape to a number of institutions and what happened</p> <p>14 after that.</p> <p>15 Q. So you don't believe they caused the</p> <p>16 suicide?</p> <p>17 A. As I said, my story was about what</p> <p>18 happened to Megan after she reported what she</p> <p>19 believed to be rape to a number of different</p> <p>20 institutions and what happened after that.</p> <p>21 Q. I get that and I want your thought</p> <p>22 process not just the article.</p> <p>23 Do you see what I am saying?</p> <p>24 MS. BOLGER: I object to that</p> <p>25 question.</p>
<p style="text-align: right;">Page 91</p> <p>1 K. Baker</p> <p>2 did you believe that Investigator Jones or</p> <p>3 Hastings acted corruptly during the Rondini</p> <p>4 investigation?</p> <p>5 MS. BOLGER: Object to the form of the</p> <p>6 question.</p> <p>7 What does corrupt mean?</p> <p>8 MR. RITCHEY: I think they covered up</p> <p>9 or sided with Bunn or acted in a manner that</p> <p>10 would be a crime.</p> <p>11 MS. BOLGER: Object to the form of the</p> <p>12 question.</p> <p>13 I object to your definition of</p> <p>14 corrupt, but having give it you can answer</p> <p>15 the question.</p> <p>16 A. No. I didn't think that they were</p> <p>17 corrupt and I didn't report that they were corrupt</p> <p>18 in my story.</p> <p>19 Q. At the time the article was published</p> <p>20 did you believe that Investigator Jones or</p> <p>21 Hastings caused the tragic suicide of Miss</p> <p>22 Rondini?</p> <p>23 MS. BOLGER: What? Object to the form</p> <p>24 of the question.</p> <p>25 I thought you just said call.</p>	<p style="text-align: right;">Page 93</p> <p>1 K. Baker</p> <p>2 If the question is do you think they</p> <p>3 caused the suicide you can answer that</p> <p>4 question.</p> <p>5 A. I don't know how to answer that</p> <p>6 question. That's not what my article was about.</p> <p>7 My article was about what happened to her at the</p> <p>8 different institutions and what happened after she</p> <p>9 reported what she believed to be rape. She was at</p> <p>10 the police, in the hospital and the counselor and</p> <p>11 everything that happened after that.</p> <p>12 Q. I understand that part. I am asking a</p> <p>13 different question than what you are answering.</p> <p>14 I am asking do you think that they</p> <p>15 caused, in your mind did they cause the suicide?</p> <p>16 A. I have no way of knowing what caused</p> <p>17 that. There is no way of me knowing.</p> <p>18 Q. At the time the article was published,</p> <p>19 did you believe that Investigator Jones or</p> <p>20 Hastings covered up the allegations against Bunn?</p> <p>21 MS. BOLGER: Objection to form.</p> <p>22 That's asked and answered. She already</p> <p>23 answered that.</p> <p>24 A. I feel like I am repeating myself.</p> <p>25 MS. BOLGER: You can answer it again.</p>

<p style="text-align: right;">Page 94</p> <p>1 K. Baker</p> <p>2 A. Like I said, I think there is a number</p> <p>3 of things the police could have done differently</p> <p>4 and I can list them all again if you would like me</p> <p>5 to.</p> <p>6 Q. I'm just asking if you thought they</p> <p>7 covered up the allegations against Bunn?</p> <p>8 A. No, and I didn't report that in my</p> <p>9 story.</p> <p>10 Q. At the time the article was published,</p> <p>11 did you believe that Investigator Jones or</p> <p>12 Investigator Hastings could change Alabama law?</p> <p>13 MS. BOLGER: Object to the form of the</p> <p>14 question.</p> <p>15 And cause for a legal conclusion and</p> <p>16 magical thinking, but you can answer.</p> <p>17 A. No, and I didn't report that in my</p> <p>18 story. In fact, I report in my story at length</p> <p>19 about the law and what Captain Hood thought about</p> <p>20 the law.</p> <p>21 MS. BOLGER: Are you getting near a</p> <p>22 stopping time?</p> <p>23 MR. RITCHEY: Yes. Give me a few</p> <p>24 more -- I think we can take a break here. I</p> <p>25 still got a few ways to go with this one,</p>	<p style="text-align: right;">Page 96</p> <p>1 K. Baker</p> <p>2 one.</p> <p>3 A. It's not common that I keep</p> <p>4 recordings. So if you don't have them they maybe</p> <p>5 gone. Sorry.</p> <p>6 MS. BOLGER: I am sure you have</p> <p>7 everything.</p> <p>8 MR. RITCHEY: I think there was some</p> <p>9 talk about there being some recording but</p> <p>10 they may have been from confidential sources</p> <p>11 but I will follow up and we will deal with</p> <p>12 that at the time.</p> <p>13 A. When I moved I got rid of a lot of</p> <p>14 stuff because I was moving to another country.</p> <p>15 MS. BOLGER: We will sort it out.</p> <p>16 MR. RITCHEY: We will sort that out, I</p> <p>17 think I talked to Jack about it but we will</p> <p>18 take it up later.</p> <p>19 MS. BOLGER: As you know by now we</p> <p>20 will get you whatever you need.</p> <p>21 MR. RITCHEY: Absolutely. I am not</p> <p>22 saying y'all withholding or anything.</p> <p>23 MS. BOLGER: We haven't done that.</p> <p>24 MR. RITCHEY: Y'all have not.</p> <p>25 BY. MR. RITCHEY:</p>
<p style="text-align: right;">Page 95</p> <p>1 K. Baker</p> <p>2 but we can take a break.</p> <p>3 (Recess taken.)</p> <p>4 BY. MR. RITCHEY:</p> <p>5 A. There is one thing I wanted to clarify</p> <p>6 on the record. I think I did meet Valentina for a</p> <p>7 drink in Birmingham. It would be in my e-mails</p> <p>8 probably if we had met up. It was very early on</p> <p>9 so I don't recall for sure.</p> <p>10 Q. Do you remember any specifics from the</p> <p>11 conversation?</p> <p>12 A. I don't because I didn't use anything</p> <p>13 from her in the story. It was not very useful,</p> <p>14 but I just don't remember.</p> <p>15 Q. Kind of on the same lines, did you</p> <p>16 ever make any recording of any of your interviews</p> <p>17 or conversations with any of the Rondini family,</p> <p>18 Maxwell, any of Megan's friends or any</p> <p>19 non-confidential sources?</p> <p>20 MS. BOLGER: I am going to object</p> <p>21 because it is a very compound question, but</p> <p>22 she can answer.</p> <p>23 A. If I had you would have them but I</p> <p>24 just don't recall at this time.</p> <p>25 Q. I may need to check with you on that</p>	<p style="text-align: right;">Page 97</p> <p>1 K. Baker</p> <p>2 Q. At the time the article was published,</p> <p>3 did you believe that Investigator Jones or</p> <p>4 Investigator Hastings quickly decided that the</p> <p>5 earnest resistance requirement was not met?</p> <p>6 A. Can you say that again?</p> <p>7 Q. At the time the article was published,</p> <p>8 did you believe that Investigator Jones or</p> <p>9 Investigator Hastings quickly decided that the</p> <p>10 earnest resistance requirement was not met?</p> <p>11 A. Yes.</p> <p>12 Q. What led you to believe that?</p> <p>13 A. Well, first of all, they labeled her</p> <p>14 case a special inquiry. Her case was labeled a</p> <p>15 special inquiry which means -- so Captain Hood did</p> <p>16 tell me that those cases are investigated as</p> <p>17 seriously as other crimes I put in my story. But</p> <p>18 he told me that means that either the alleged</p> <p>19 victim doesn't know whether something happened to</p> <p>20 them or the police believed that the case likely</p> <p>21 doesn't meet the standard, a standard of a crime</p> <p>22 under Alabama law and during the interview, which</p> <p>23 I watched, Jones told Megan that he said look -- I</p> <p>24 will read exactly what he said. He said "Look at</p> <p>25 it from my side. You never kicked him or hit him</p>



<p style="text-align: right;">Page 98</p> <p>1 K. Baker</p> <p>2 or tried to resist him." And Megan said "I did</p> <p>3 resist him and she looked at all the ways she felt</p> <p>4 she resisted him." And like I said earlier, I</p> <p>5 know she said Bunn put his hands on her hips and</p> <p>6 that she verbally told him she didn't want to have</p> <p>7 sex with him but he continued. So Megan told</p> <p>8 investigators in her first few interviews that</p> <p>9 Bunn had held her down by the hips and that she</p> <p>10 had verbally informed Bunn that she didn't want to</p> <p>11 have sex with him but he continued to engage in</p> <p>12 intercourse with her and in my story I said that</p> <p>13 Megan said I did resist him. Megan said listing</p> <p>14 the way she did from repeatedly telling Bunn she</p> <p>15 wanted to leave, to turning him away when he</p> <p>16 kissed her. I wanted to go home. He didn't take</p> <p>17 me home and I reported that Jones said look at it</p> <p>18 from my side, you never kicked him or hit him or</p> <p>19 tried to resist him and he never followed up or</p> <p>20 investigators never told up on those original</p> <p>21 statements Megan made about Bunn holding her down</p> <p>22 by the hips and telling him verbally that she</p> <p>23 didn't want to have, continue to have sex with</p> <p>24 him.</p> <p>25 And also in the felony packet there</p>	<p style="text-align: right;">Page 100</p> <p>1 K. Baker</p> <p>2 after she first reported her allegation in the</p> <p>3 middle of the night.</p> <p>4 Q. I am still trying to get an answer to</p> <p>5 that question.</p> <p>6 Do you believe that Jones or Hastings</p> <p>7 induced Miss Rondini into dropping charges against</p> <p>8 TJ Bunn?</p> <p>9 A. I didn't use the word induce in my</p> <p>10 story, so I didn't believe that. I believe what I</p> <p>11 reported in my story which is what I just read to</p> <p>12 you.</p> <p>13 Q. At the time the article was published,</p> <p>14 did you believe that Investigator Jones or</p> <p>15 Hastings were the reason why Miss Rondini dropped</p> <p>16 the civil case against TJ Bunn?</p> <p>17 A. No, and that's not what I reported in</p> <p>18 my story.</p> <p>19 Q. At the time the article was published,</p> <p>20 did you believe that Investigator Jones or</p> <p>21 Investigator Hastings were responsible for what is</p> <p>22 presented to the grand jury?</p> <p>23 MS. BOLGER: Object to the form of the</p> <p>24 question.</p> <p>25 I don't quite understand that</p>
<p style="text-align: right;">Page 99</p> <p>1 K. Baker</p> <p>2 was, is it possible for me to see the felony</p> <p>3 packet?</p> <p>4 Q. I don't have it on me.</p> <p>5 MS. BOLGER: I have it but why don't</p> <p>6 you continue.</p> <p>7 A. There was just additional reasons why</p> <p>8 I came to that conclusion based on the facts that</p> <p>9 I reviewed but I guess we can stop here.</p> <p>10 Q. At the time the article was published</p> <p>11 did you believe that Investigator Jones or</p> <p>12 Hastings made up or fabricated charges against</p> <p>13 Rondini?</p> <p>14 A. No, and that's not in my story.</p> <p>15 Q. At the time the article was published,</p> <p>16 did you believe that Investigator Jones or</p> <p>17 Hastings induced Miss Rondini into dropping</p> <p>18 charges against TJ Bunn?</p> <p>19 A. What I reported is that despite best</p> <p>20 practices according to experts I interviewed from</p> <p>21 the IACP you are not supposed to ask an alleged</p> <p>22 victim to decide anything about prosecution in the</p> <p>23 initial stages of an investigation and as I</p> <p>24 reported, Jones offered to give Megan a refusal to</p> <p>25 prosecute form to sign I think maybe 12 hours</p>	<p style="text-align: right;">Page 101</p> <p>1 K. Baker</p> <p>2 question.</p> <p>3 A. Can you be a little bit more specific</p> <p>4 about what is presented?</p> <p>5 Q. The facts or information presented,</p> <p>6 are they responsible for presenting or deciding</p> <p>7 what is presented as far as facts and information</p> <p>8 to the grand jury?</p> <p>9 MS. BOLGER: Object to the form of the</p> <p>10 question. It calls for a legal conclusion</p> <p>11 or information that you all have told me is</p> <p>12 privileged, but to the extent she can answer</p> <p>13 Katie can answer.</p> <p>14 A. Grand jury proceedings are secret so I</p> <p>15 don't know.</p> <p>16 Q. I understand, but do you think that</p> <p>17 investigators in their capacity are responsible</p> <p>18 for deciding what is presented to the grand jury?</p> <p>19 MS. BOLGER: Same objection.</p> <p>20 You can answer.</p> <p>21 A. There is no way of knowing because the</p> <p>22 grand jury proceedings are secret and I didn't</p> <p>23 report otherwise in my story.</p> <p>24 Q. At the time the article was published,</p> <p>25 did you believe that Investigator Jones or</p>

<p style="text-align: right;">Page 102</p> <p>1 K. Baker</p> <p>2 Hastings doubted Miss Rondini prior to the</p> <p>3 interview at the station on July 2, 2015?</p> <p>4 MS. BOLGER: Object to the form of the</p> <p>5 question because there were we know more</p> <p>6 than one interview on July 2nd and I want</p> <p>7 clarification.</p> <p>8 MR. RITCHEY: Just the first one on</p> <p>9 July 2nd at the station of Miss Rondini.</p> <p>10 A. As I reported my story, I think they</p> <p>11 doubted that she was raped. I don't think that</p> <p>12 they doubted everything she said, but I think from</p> <p>13 the beginning they doubted that her claim that the</p> <p>14 rape statute under Alabama law and that's what I</p> <p>15 reported in my story.</p> <p>16 Q. At the time the article was published</p> <p>17 did you believe that Investigator Jones or</p> <p>18 Investigator Hastings forced Miss Rondini to the</p> <p>19 station for that initial interview she did with</p> <p>20 Investigator Jones on July 2, 2015?</p> <p>21 A. Sorry.</p> <p>22 Did you say forced?</p> <p>23 Q. Right.</p> <p>24 A. Do I believe they forced her to go to</p> <p>25 the station?</p>	<p style="text-align: right;">Page 104</p> <p>1 K. Baker</p> <p>2 the room for or do you have an opinion as to what?</p> <p>3 MS. BOLGER: I am going to object to</p> <p>4 the form of the question.</p> <p>5 A. As you know I did reach out to the</p> <p>6 plaintiffs for comment and told them what was</p> <p>7 going to be reported in my story. All I had to go</p> <p>8 on, since they declined to speak to me, was what</p> <p>9 he told Megan at the time and I had no reason to</p> <p>10 believe that what Jones said was inaccurate.</p> <p>11 Q. At the time the article was published,</p> <p>12 did you believe there was something wrong with</p> <p>13 Investigator Jones reading Miranda rights to Miss</p> <p>14 Rondini?</p> <p>15 MS. BOLGER: Object to what you mean</p> <p>16 by something wrong.</p> <p>17 You can answer.</p> <p>18 A. No. I didn't think there was anything</p> <p>19 wrong and I don't report that there is anything</p> <p>20 wrong with it in my story. I do think that they</p> <p>21 could have done a number of things differently in</p> <p>22 that regard and I am happy to go into that if you</p> <p>23 would like.</p> <p>24 Q. Sure, that's fine.</p> <p>25 A. When Bunn was accused of a suspect in</p>
<p style="text-align: right;">Page 103</p> <p>1 K. Baker</p> <p>2 Q. Right.</p> <p>3 A. No, and I didn't report that in my</p> <p>4 story.</p> <p>5 Q. At the time the article was published</p> <p>6 after Miss Rondini had told Investigator Jones</p> <p>7 about the gun incident, what do you believe the</p> <p>8 reason why Investigator Jones left the interview</p> <p>9 room?</p> <p>10 MS. BOLGER: Object to the form of the</p> <p>11 question.</p> <p>12 Are you asking her to get into Mr.</p> <p>13 Jones's head, is that the question?</p> <p>14 MR. RITCHEY: I am just asking what</p> <p>15 she thought he was doing.</p> <p>16 A. Yeah. I don't speculate on what's</p> <p>17 going on in people's heads. I just report what</p> <p>18 Megan told a friend which is what I was looking</p> <p>19 for. He said he had to go make sure that kids</p> <p>20 couldn't grab the gun. Oh, yeah Megan, because I</p> <p>21 don't like to speculate I used a text where Megan</p> <p>22 said he left as soon as I said that and hasn't</p> <p>23 come back and then told me that little kids can</p> <p>24 shoot themselves.</p> <p>25 Q. And that was what you believed he left</p>	<p style="text-align: right;">Page 105</p> <p>1 K. Baker</p> <p>2 Megan's case against him they gave him four days</p> <p>3 to go on a fishing trip with his lawyer and even</p> <p>4 though he originally lied to them about Megan not</p> <p>5 being at his house they didn't press him on that.</p> <p>6 Yet when Megan was, willingly told investigators</p> <p>7 going through the chronology that night what had</p> <p>8 happened with the gun, while Jones did read her</p> <p>9 her Miranda rights he didn't fully explain to her</p> <p>10 that in the middle of what she had thought was an</p> <p>11 interview about reporting what she believed to be</p> <p>12 rape, she was now being investigated for multiple</p> <p>13 felonies and got no other clear information other</p> <p>14 than him reading the Miranda rights and I think</p> <p>15 that could have been done a bit differently and I</p> <p>16 think I report that all factually accurate in my</p> <p>17 story.</p> <p>18 Q. Do you believe it was Investigator</p> <p>19 Jones' job to explain to Miss Rondini that she was</p> <p>20 now being looked into for criminal acts?</p> <p>21 MS. BOLGER: I am going to object to</p> <p>22 that question. She is not here as an expert</p> <p>23 on the police. She's never purported to be</p> <p>24 an expert on the police. She can't possibly</p> <p>25 answer questions where you are asking her to</p>



<p style="text-align: right;">Page 106</p> <p>1 K. Baker</p> <p>2 be an expert on the police.</p> <p>3 Katie, you can answer if you can.</p> <p>4 A. I did ask Captain Hood for his</p> <p>5 policies and procedures, but he wouldn't give them</p> <p>6 to me so.</p> <p>7 Q. When did you ask Captain Hood for the</p> <p>8 policy and procedures?</p> <p>9 A. I believe I asked for them repeatedly</p> <p>10 in the e-mail correspondence that we had.</p> <p>11 Q. Would you have asked him over the</p> <p>12 telephone?</p> <p>13 MS. BOLGER: Object to the form of the</p> <p>14 question. Just because I don't understand</p> <p>15 what you mean by would.</p> <p>16 Are you looking for the hypothetical</p> <p>17 or are you asking her if?</p> <p>18 Q. Is the e-mails the only place where</p> <p>19 you would have asked Captain Hood for the policies</p> <p>20 and procedures?</p> <p>21 A. We can look at the e-mails now and I</p> <p>22 can show you where I asked for them.</p> <p>23 Q. I can read those.</p> <p>24 I am asking if you had a conversation</p> <p>25 with him over the telephone that you can remember</p>	<p style="text-align: right;">Page 108</p> <p>1 K. Baker</p> <p>2 prosecute form?</p> <p>3 MS. BOLGER: I will object to that</p> <p>4 question because it is compound. You have</p> <p>5 pressured and bullied.</p> <p>6 Can you break it up?</p> <p>7 Q. We will do pressure first.</p> <p>8 At the time the article was published,</p> <p>9 did you believe that Investigator Jones or</p> <p>10 Investigator Hastings pressured Miss Rondini to</p> <p>11 sign a refusal to prosecute form?</p> <p>12 MS. BOLGER: That one I object to. It</p> <p>13 was asked and answered because I think she</p> <p>14 just answered that very question, but you</p> <p>15 can answer it again.</p> <p>16 A. I believe I reported which is that the</p> <p>17 IACP tells police not to pressure victims and</p> <p>18 doing so is poor practice and potentially damaging</p> <p>19 to an agency and I reported that Jones offered her</p> <p>20 a refusal to prosecute form so I believe I</p> <p>21 reported.</p> <p>22 In terms of bullying, I believe that</p> <p>23 in general Megan felt bullied by the police. I</p> <p>24 quoted her putting that on her intake forms two</p> <p>25 days before she hanged herself, but I just</p>
<p style="text-align: right;">Page 107</p> <p>1 K. Baker</p> <p>2 where you asked him for the policies and</p> <p>3 procedures?</p> <p>4 A. The clearest thing I remember is the</p> <p>5 e-mail correspondence because I recently reviewed</p> <p>6 it and I asked him repeatedly for the related</p> <p>7 policies and procedures there.</p> <p>8 Q. At the time the article was published</p> <p>9 did you believe that Investigator Jones or</p> <p>10 Hastings pressured or bullied Miss Rondini to sign</p> <p>11 a refusal to prosecute form?</p> <p>12 A. So I believe what I reported in my</p> <p>13 story which is that best practices, according to</p> <p>14 IACP, is not to ask an alleged victim to make</p> <p>15 decisions about prosecution in the initial stage</p> <p>16 of the investigation. I think 12 hours into an</p> <p>17 investigation would constitute the initial stages</p> <p>18 of an investigation and they did offer her a form</p> <p>19 then which according to the expert I interviewed</p> <p>20 was not in line with those policies.</p> <p>21 So that was what I reported in my</p> <p>22 story and that is what I believed.</p> <p>23 Q. Do you believe though that</p> <p>24 Investigator Jones or Hastings pressured or</p> <p>25 bullied Miss Rondini into signing a refusal to</p>	<p style="text-align: right;">Page 109</p> <p>1 K. Baker</p> <p>2 reported that Megan believed that.</p> <p>3 Q. But you don't believe that?</p> <p>4 A. No and I didn't -- no.</p> <p>5 Q. And going back to the pressure part of</p> <p>6 it, did you believe that the offering of the</p> <p>7 refusal to prosecute form was pressuring?</p> <p>8 MS. BOLGER: Objection to form. That</p> <p>9 really has been asked and answered.</p> <p>10 A. I am going to answer it the same way.</p> <p>11 Q. I get what she's put in the story and</p> <p>12 the facts and everything.</p> <p>13 I want to know if you thought that</p> <p>14 when Jones offered the refusal to prosecute form,</p> <p>15 did you think that was Jones pressuring Miss</p> <p>16 Rondini to sign that form?</p> <p>17 MS. BOLGER: Again, object. It's been</p> <p>18 asked and answered.</p> <p>19 You can do it.</p> <p>20 A. I can't answer it any clearer how I</p> <p>21 reported in my story which is I interviewed an</p> <p>22 expert and that's what the expert said and I</p> <p>23 reported on what happened factually and readers</p> <p>24 can draw their own conclusions.</p> <p>25 Q. So you agree with the expert saying if</p>

<p style="text-align: right;">Page 110</p> <p>1 K. Baker</p> <p>2 you offer a refusal to prosecute form in the</p> <p>3 initial stages of an investigation that's</p> <p>4 pressuring a victim to sign it?</p> <p>5 MS. BOLGER: Objection to form.</p> <p>6 That's not what she said.</p> <p>7 MR. RITCHEY: I am trying to get to</p> <p>8 that.</p> <p>9 A. The IACP tells police not to pressure</p> <p>10 victims, make any decisions about prosecution. I</p> <p>11 don't think that they are pressuring her to sign</p> <p>12 it, but I do think that it would constitute</p> <p>13 pressuring someone to make any decision about</p> <p>14 prosecution by offering them a refusal to</p> <p>15 prosecute form.</p> <p>16 Q. At the time the article was published,</p> <p>17 did you believe that Investigator Jones or</p> <p>18 Hastings established the homicide unit's policies?</p> <p>19 DI MS. BOLGER: I am sorry. I don't</p> <p>20 understand that question.</p> <p>21 Don't answer it. Please redo it.</p> <p>22 MR. RITCHEY: What did you not</p> <p>23 understand?</p> <p>24 MS. BOLGER: You said do you think</p> <p>25 that they established the policies. I</p>	<p style="text-align: right;">Page 112</p> <p>1 K. Baker</p> <p>2 policies and procedures, but they weren't given to</p> <p>3 me.</p> <p>4 Q. At the time the article was published,</p> <p>5 did you know how the Grand Jury process worked in</p> <p>6 Alabama?</p> <p>7 A. Captain Hood described some of it to</p> <p>8 me.</p> <p>9 Q. Was that the extent of your knowledge?</p> <p>10 A. I knew what I reported in my story to</p> <p>11 be truthful and accurate except for the inaccurate</p> <p>12 information that Hood gave me which I reported</p> <p>13 because I assumed it was accurate.</p> <p>14 Q. But you didn't get any other</p> <p>15 information concerning the Grand Jury process in</p> <p>16 Alabama from anyone else besides Hood?</p> <p>17 A. I definitely would have asked others.</p> <p>18 I can't recall exactly who at this time, but it is</p> <p>19 clearest in my head because I had that extensive</p> <p>20 back and forth via e-mail with Hood.</p> <p>21 Q. I am just asking if you remember now</p> <p>22 how the Grand Jury process works in Alabama?</p> <p>23 MS. BOLGER: Object to the form of the</p> <p>24 question and I note for the record that you</p> <p>25 refused to tell us how the Grand Jury</p>
<p style="text-align: right;">Page 111</p> <p>1 K. Baker</p> <p>2 didn't understand that. I don't understand</p> <p>3 the question Scotch.</p> <p>4 Do you mean did they write them?</p> <p>5 Q. Did they establish them, did they</p> <p>6 write them, did they change them?</p> <p>7 MS. BOLGER: Objection to form. I</p> <p>8 don't know how she can answer that, but she</p> <p>9 can answer.</p> <p>10 A. As I said, I requested to see those</p> <p>11 policies and procedures. So I have never seen</p> <p>12 them but I would assume that they would --</p> <p>13 MS. BOLGER: Don't assume.</p> <p>14 A. I am sorry. I can't assume.</p> <p>15 MS. BOLGER: If you can't answer the</p> <p>16 question just say you can't answer the</p> <p>17 question. Don't speculate.</p> <p>18 A. I can't answer the question.</p> <p>19 Q. So you wouldn't know one way or the</p> <p>20 other?</p> <p>21 A. Sorry.</p> <p>22 I wouldn't know one way or the other</p> <p>23 if they came up with the policies and procedures?</p> <p>24 Q. Right.</p> <p>25 A. No. I asked for a copy of those</p>	<p style="text-align: right;">Page 113</p> <p>1 K. Baker</p> <p>2 process works in Alabama but go ahead.</p> <p>3 MR. RITCHEY: I don't think it is the</p> <p>4 process. I think it's what's said in the</p> <p>5 Grand Jury. I don't think it's been the</p> <p>6 process of it. It is what's presented to</p> <p>7 the Grand Jury.</p> <p>8 MS. BOLGER: Oh, I agree it has been</p> <p>9 the process, but you can answer again.</p> <p>10 A. Like I said, I was relying on Captain</p> <p>11 Hood as a public official to answer my questions</p> <p>12 accurately about how the Grand Jury process works.</p> <p>13 Q. At the time the article was published,</p> <p>14 did you believe that Investigator Jones or</p> <p>15 Hastings did not fight too hard on Miss Rondini's</p> <p>16 behalf?</p> <p>17 MS. BOLGER: Object to the form of the</p> <p>18 question. It's highly subjective.</p> <p>19 You can answer the question if you</p> <p>20 can.</p> <p>21 A. I think I know or sorry, I don't want</p> <p>22 to speculate but I do think that it's notable that</p> <p>23 in the felony packet they put together for, Jones'</p> <p>24 name is on it, that Jones put together for -- the</p> <p>25 felony packet for Megan's case it says on the</p>

<p style="text-align: right;">Page 114</p> <p>1 K. Baker</p> <p>2 first page of text that no sexual assault occurred</p> <p>3 and I think, I do believe if you put together a</p> <p>4 packet for a Grand Jury when as Hood told me it is</p> <p>5 the Grand Jury's choice to decide whether to bring</p> <p>6 charges based in part on that and when you say no</p> <p>7 sexual assault occurred that means the police</p> <p>8 don't believe a sexual assault occurred.</p> <p>9 Q. But that also means they didn't fight</p> <p>10 too hard on Miss Rondini's behalf?</p> <p>11 A. Are you referring to a specific part</p> <p>12 of my story?</p> <p>13 Q. Can you point me to it?</p> <p>14 MS. BOLGER: It is on page 15 of 18</p> <p>15 and it is the third graph from the bottom.</p> <p>16 Q. That's the right one.</p> <p>17 A. So I think that the document speaks</p> <p>18 for themselves and I was summarizing what the</p> <p>19 document said which is that investigators noted</p> <p>20 they found no sexual assault occurred.</p> <p>21 Q. And I am referring to the part where</p> <p>22 you say authorities didn't intend to fight too</p> <p>23 hard on Megan's behalf.</p> <p>24 MS. BOLGER: Just for the record, the</p> <p>25 full sentence reads "Internal documents from</p>	<p style="text-align: right;">Page 116</p> <p>1 K. Baker</p> <p>2 Grand Jury, from what I understand, to decide if</p> <p>3 her claims are true and the first page of that</p> <p>4 felony packet says no sexual assault occurred, it</p> <p>5 is fair to say that those documents imply</p> <p>6 authorities didn't intend to fight too hard on</p> <p>7 Megan's behalf as I reported it.</p> <p>8 Q. At the time the article was published,</p> <p>9 did you believe the whole felony packet would have</p> <p>10 been presented to the Grand Jury?</p> <p>11 A. Like we said, I don't know what. The</p> <p>12 Grand Jury proceedings are secret.</p> <p>13 Q. So you wouldn't know if the whole</p> <p>14 packet was presented or not?</p> <p>15 A. I wouldn't know exactly what the Grand</p> <p>16 Jury saw.</p> <p>17 MS. BOLGER: If you are going to ask</p> <p>18 questions about the felony packet you have</p> <p>19 to show it to her.</p> <p>20 Q. Was there anything that factored into</p> <p>21 the decision as to whether to leave some gathered</p> <p>22 fact or information out of the article?</p> <p>23 MS. BOLGER: Object to the form of the</p> <p>24 question.</p> <p>25 You can answer if you understood it.</p>
<p style="text-align: right;">Page 115</p> <p>1 K. Baker</p> <p>2 September 2015 imply authorities didn't</p> <p>3 intend to fight too hard on Megan's behalf:</p> <p>4 Investigators noted they found "no sexual</p> <p>5 assault occurred." That's what the sentence</p> <p>6 said. You can ask a question about that.</p> <p>7 MR. RITCHEY: Right.</p> <p>8 BY MR. RITCHEY:</p> <p>9 Q. I am asking do you think that</p> <p>10 Investigator Jones or Hastings did not fight too</p> <p>11 hard on Miss Rondini's behalf?</p> <p>12 A. I think exactly what that sentence</p> <p>13 says as I wrote it.</p> <p>14 Q. Just for my clarity and you probably</p> <p>15 answered that, you believe they didn't fight too</p> <p>16 hard because of that quote, no sexual assault</p> <p>17 occurred, included in the felony packet?</p> <p>18 MS. BOLGER: Object to the form of the</p> <p>19 question.</p> <p>20 That's not what that sentence says,</p> <p>21 but you can answer the question Katie.</p> <p>22 A. I think that if you are a law</p> <p>23 authority and you are putting together a felony</p> <p>24 packet for somebody whose alleged sexual assault,</p> <p>25 alleged rape and the goal of the packet is for a</p>	<p style="text-align: right;">Page 117</p> <p>1 K. Baker</p> <p>2 A. It is a bit general, your question.</p> <p>3 Can you be more specific?</p> <p>4 Q. Just in general, is there anything</p> <p>5 that factors into it?</p> <p>6 A. My story was about what happened to</p> <p>7 Megan after she reported what she believed to be</p> <p>8 rape to a number of institutions including the</p> <p>9 police department, the hospital and a therapist</p> <p>10 for mental health services at the university. I</p> <p>11 included all the pertinent details to that</p> <p>12 investigation and I also made sure to include</p> <p>13 everything I felt the people that I interviewed</p> <p>14 wanted me to put in from their perspective.</p> <p>15 So it was crucial to me that I</p> <p>16 accurately report on how the police conducted</p> <p>17 their investigations, the DA's decision, Bunn's</p> <p>18 perspective, the mental health counselor's</p> <p>19 perspective. Anyone I reported on I really wanted</p> <p>20 to be accurate about how they felt that</p> <p>21 investigation took place and especially with</p> <p>22 Captain Hood. He really laid out what he felt</p> <p>23 about the case and I included all his key points</p> <p>24 in my story.</p> <p>25 Q. But you didn't include his whole</p>

<p style="text-align: right;">Page 118</p> <p>1 K. Baker</p> <p>2 explanation in your story, did you?</p> <p>3 A. I included about three paragraphs from</p> <p>4 him and other quotes from him throughout the</p> <p>5 story. I think I included all the key points from</p> <p>6 his perspective.</p> <p>7 Q. What factors into whether or not to</p> <p>8 include the whole explanation or what you pulled</p> <p>9 out of it?</p> <p>10 A. I make sure to include the key points.</p> <p>11 Q. And how do you figure out what the key</p> <p>12 points are?</p> <p>13 A. It is just judgment.</p> <p>14 Q. So your judgment or do other people</p> <p>15 weigh in?</p> <p>16 A. Definitely with something like this</p> <p>17 editors, fact checkers. I can't talk about our</p> <p>18 discussions with our lawyers, but it is so</p> <p>19 important to me as a journalist that I accurately</p> <p>20 portray what I am writing about and my only goal</p> <p>21 with this story in terms of the police</p> <p>22 investigation was to accurately portray what they</p> <p>23 thought about Megan's case and that was my goal</p> <p>24 here.</p> <p>25 Q. You mentioned in your answer, it might</p>	<p style="text-align: right;">Page 120</p> <p>1 K. Baker</p> <p>2 break them up if you remember to.</p> <p>3 But how was it determined which</p> <p>4 portion of the full video was included for the</p> <p>5 clips?</p> <p>6 A. I don't recall anymore.</p> <p>7 Q. In general, who would have made those</p> <p>8 types of decisions?</p> <p>9 MS. BOLGER: Just objection to the</p> <p>10 form to the extent it requires you to</p> <p>11 speculate. If you know you know, if you</p> <p>12 don't you don't.</p> <p>13 A. I don't recall those decisions exactly</p> <p>14 how they were made as it has been so many years.</p> <p>15 Q. In your articles that you have written</p> <p>16 and have been published by BuzzFeed, do you</p> <p>17 generally include video clips?</p> <p>18 A. Sometimes.</p> <p>19 Q. Is there a reason you would or would</p> <p>20 not?</p> <p>21 A. If we obtained footage.</p> <p>22 Q. Was there a reason why the full video</p> <p>23 was not included and only clips were included?</p> <p>24 MS. BOLGER: Object to the form of the</p> <p>25 question.</p>
<p style="text-align: right;">Page 119</p> <p>1 K. Baker</p> <p>2 have been a few questions ago, you said something</p> <p>3 about the DA's decision.</p> <p>4 MS. BOLGER: I object to the form of</p> <p>5 the question. I don't know what you are</p> <p>6 talking about.</p> <p>7 So can you be clearer?</p> <p>8 Q. I don't remember which question it was</p> <p>9 to but you said something about the DA's decision?</p> <p>10 A. I said I reached out to a DA's office</p> <p>11 for comment. I was talking about how it was</p> <p>12 important for me to reach out to everybody for</p> <p>13 comment.</p> <p>14 Q. I am going to refer to the video clips</p> <p>15 that were embedded in the article.</p> <p>16 Do you understand that I am talking</p> <p>17 about those?</p> <p>18 A. Yes.</p> <p>19 MS. BOLGER: Are you talking about</p> <p>20 them as a whole or are you asking about them</p> <p>21 specifically and if so point to the ones you</p> <p>22 are.</p> <p>23 Q. I am just asking about decisions made</p> <p>24 about the video clips. So if different decisions</p> <p>25 were made on each one, just let me know and I will</p>	<p style="text-align: right;">Page 121</p> <p>1 K. Baker</p> <p>2 You can answer if you know.</p> <p>3 A. My job as a reporter isn't to just</p> <p>4 regurgitate all the information. It is to put</p> <p>5 together a story based on truthful and accurate</p> <p>6 facts that I believe are relevant to what I am</p> <p>7 reporting on.</p> <p>8 Q. Wouldn't the full video be the most</p> <p>9 accurate?</p> <p>10 A. That's just not my job as a</p> <p>11 journalist.</p> <p>12 Q. What is your job?</p> <p>13 A. My job is to report stories that are</p> <p>14 in the public interest.</p> <p>15 Q. And would that include to include</p> <p>16 accurate facts?</p> <p>17 A. Yes.</p> <p>18 Q. And wouldn't the most accurate fact be</p> <p>19 a full video instead of just a portion of a video?</p> <p>20 MS. BOLGER: Are you asking that</p> <p>21 question in all circumstances forever?</p> <p>22 MR. RITCHEY: Sure.</p> <p>23 A. No, I don't agree. I don't think that</p> <p>24 any journalist sees their job as putting all the</p> <p>25 information that they compile out. The job is to</p>

<p style="text-align: right;">Page 122</p> <p>1 K. Baker</p> <p>2 put a story together based on truthful and</p> <p>3 accurate information and what you think is most</p> <p>4 relevant to the story.</p> <p>5 Q. So you don't put all the information</p> <p>6 out for a reader to decide then?</p> <p>7 A. I put out accurate and truthful facts</p> <p>8 that are pertinent to what I am reporting on.</p> <p>9 Q. But not all information?</p> <p>10 MS. BOLGER: Object to the form.</p> <p>11 In every story ever? It's just a</p> <p>12 little bit -- are you talking about in</p> <p>13 general or are you talking about this story?</p> <p>14 MR. RITCHEY: Let's talk about in</p> <p>15 general and then in this story.</p> <p>16 MS. BOLGER: I think that calls for</p> <p>17 speculation about what every journalist has</p> <p>18 ever done in the history of time.</p> <p>19 Q. In your experience.</p> <p>20 A. I prefer to just talk about this</p> <p>21 story.</p> <p>22 Q. In this story the most accurate</p> <p>23 information concerning the interviews, the videoed</p> <p>24 and IO interviews would have been the full video</p> <p>25 and not these video clips that were embedded in</p>	<p style="text-align: right;">Page 124</p> <p>1 K. Baker</p> <p>2 readers?</p> <p>3 MS. BOLGER: Objection to the form of</p> <p>4 the question.</p> <p>5 A. I don't know how I can put it</p> <p>6 otherwise that we felt this was the right decision</p> <p>7 journalistically.</p> <p>8 Q. Would you agree with me that that</p> <p>9 video clip is not all the information that was</p> <p>10 available from the video?</p> <p>11 MS. BOLGER: Objection to form.</p> <p>12 You can answer.</p> <p>13 A. The clip was a clip.</p> <p>14 Q. So who decided which information that</p> <p>15 was not presented to the reader in the article?</p> <p>16 MS. BOLGER: Wait.</p> <p>17 Can you do that again?</p> <p>18 MR. RITCHEY: Can you read that back?</p> <p>19 I may need to try again.</p> <p>20 (Record read.)</p> <p>21 MS. BOLGER: I think that's been asked</p> <p>22 and answered, but you can answer again</p> <p>23 Katie.</p> <p>24 A. So there is me and then there is Tina</p> <p>25 and Marisa. There is Sharmila. Of course we have</p>
<p style="text-align: right;">Page 123</p> <p>1 K. Baker</p> <p>2 the article; is that right?</p> <p>3 MS. BOLGER: Objection to form.</p> <p>4 You can answer.</p> <p>5 A. If I included everything that I</p> <p>6 compiled over the course of the six-month</p> <p>7 investigation the story would not have been</p> <p>8 readable.</p> <p>9 Q. And why not?</p> <p>10 A. Because it would be hundreds of</p> <p>11 thousands of words and hours and hours of tape</p> <p>12 long and the point of reporting is to report</p> <p>13 stories in the public interest that readers can</p> <p>14 understand.</p> <p>15 Q. Why couldn't you link to the full</p> <p>16 video in this article?</p> <p>17 MS. BOLGER: Object to the form of the</p> <p>18 question. Calls for a hypothetical.</p> <p>19 Katie, if you can answer it feel free.</p> <p>20 A. Myself and my editors and the fact</p> <p>21 checker and I guess I can't talk about other</p> <p>22 people involved in the decision, we felt that the</p> <p>23 right thing to do for the story was to include</p> <p>24 these clips.</p> <p>25 Q. And withhold the full videos from the</p>	<p style="text-align: right;">Page 125</p> <p>1 K. Baker</p> <p>2 lawyers and you file a story as a journalist and</p> <p>3 then you have editors and fact checkers and legal</p> <p>4 and that's the process.</p> <p>5 Q. Why was the exact amount of money that</p> <p>6 TJ Bunn alleged was taken from him left out of the</p> <p>7 story?</p> <p>8 A. I only put accurate information in my</p> <p>9 story and my recollection is that it was confirmed</p> <p>10 that it was only, I believe it was \$3 and that his</p> <p>11 initial allegation was inaccurate and I had</p> <p>12 evidence of that so I included the accurate</p> <p>13 information.</p> <p>14 Q. What evidence and who confirmed that?</p> <p>15 A. It would be in the fact checking</p> <p>16 documents I handed over. I can't remember every</p> <p>17 detail four and a half years later, but I feel a</p> <p>18 hundred percent confident about all the</p> <p>19 information that I was given in the story at the</p> <p>20 time.</p> <p>21 Q. Is there a reason why Miss Rondini's</p> <p>22 version of the story was told first in the</p> <p>23 article?</p> <p>24 MS. BOLGER: Object to the form of the</p> <p>25 question.</p>



<p style="text-align: right;">Page 126</p> <p>1 K. Baker</p> <p>2 A. I don't know if I understand the</p> <p>3 question.</p> <p>4 Q. So was there a reason why her side of</p> <p>5 the story was told first in the article?</p> <p>6 MS. BOLGER: Objection to form.</p> <p>7 A. I don't know if I agree that her story</p> <p>8 was told first in the article. I told the story.</p> <p>9 You can see in the second paragraph I say what</p> <p>10 Bunn's perspective was actually. I say the</p> <p>11 34-year-old later told authorities he offered</p> <p>12 20-year-old Megan a ride home because he and a</p> <p>13 friend saw her leaving downtown Tuscaloosa.</p> <p>14 Michael was to tell the story through public</p> <p>15 records and include both perspectives and I</p> <p>16 include his perspective right at the beginning,</p> <p>17 right at the top.</p> <p>18 Q. Did you ever pitch this story to</p> <p>19 anyone at BuzzFeed?</p> <p>20 A. What do you mean by pitch?</p> <p>21 Q. Is there a pitching process at</p> <p>22 BuzzFeed? I just don't know. Did you have to go</p> <p>23 to someone and say here is a lead I found, can I</p> <p>24 pursue it?</p> <p>25 A. It is more of an ongoing conversation</p>	<p style="text-align: right;">Page 128</p> <p>1 K. Baker</p> <p>2 mostly Marisa and Tina.</p> <p>3 Q. Did you ever pitch the story to Ben</p> <p>4 Smith?</p> <p>5 A. I didn't pitch it to him, no because I</p> <p>6 didn't pitch stories to Ben. He was</p> <p>7 editor-in-chief. If he asked me what I was</p> <p>8 working on I might have told him, but it wouldn't</p> <p>9 have been him who I would have looped in like</p> <p>10 Marisa and Tina.</p> <p>11 Q. Do you recall any conversations with</p> <p>12 Ben Smith concerning the article?</p> <p>13 A. I didn't before reviewing documents in</p> <p>14 preparation for today. I think I saw one or two</p> <p>15 e-mails, like really brief ones, but I didn't</p> <p>16 remember them until I saw them.</p> <p>17 Q. Did Ben Smith help edit the story?</p> <p>18 A. No. I don't recall anything he did on</p> <p>19 the story honestly.</p> <p>20 Q. Do you remember any conversations, any</p> <p>21 verbal conversations about any draft or final</p> <p>22 publication of the article?</p> <p>23 MS. BOLGER: With who?</p> <p>24 MR. RITCHEY: Anyone.</p> <p>25 MS. BOLGER: At BuzzFeed --</p>
<p style="text-align: right;">Page 127</p> <p>1 K. Baker</p> <p>2 with editors. So people will come to us with tips</p> <p>3 or with ideas for stories and we talked to them</p> <p>4 and at some point I'll bring all my editors in and</p> <p>5 say this is what I have heard so far and of course</p> <p>6 it is up to the editor to say that's not</p> <p>7 interesting, I don't think you should report on</p> <p>8 that or go ahead, but because I have been at</p> <p>9 BuzzFeed for so long and I have a senior position,</p> <p>10 usually for me it is more of a conversation. I</p> <p>11 can't speak for all the reporters.</p> <p>12 Q. In this article did you pitch or tell</p> <p>13 someone about the article before pursuing it</p> <p>14 further?</p> <p>15 A. Of course I kept my editors in the</p> <p>16 loop and as I learned more information I would</p> <p>17 explain to them kind of where I was at and what I</p> <p>18 was hearing.</p> <p>19 Q. Would that have been Marisa and Tina?</p> <p>20 A. Definitely Marisa and Tina, yes.</p> <p>21 Q. Would anyone else have been kept in</p> <p>22 the loop?</p> <p>23 A. Possibly. BuzzFeed is a very</p> <p>24 corroborative place. I can't recall exactly who</p> <p>25 else it would have been, but it would have been</p>	<p style="text-align: right;">Page 129</p> <p>1 K. Baker</p> <p>2 MR. RITCHEY: Yes.</p> <p>3 MS. BOLGER: -- or in the world?</p> <p>4 MR. RITCHEY: Anyone in the world</p> <p>5 besides attorneys.</p> <p>6 A. So much has happened in the past four</p> <p>7 and a half years I cannot remember conversations</p> <p>8 that I had at this point.</p> <p>9 Q. Would you explain the editing process</p> <p>10 that the article went through?</p> <p>11 A. Yes.</p> <p>12 Well, would you mind asking me</p> <p>13 specific questions that would allow me to answer</p> <p>14 more accurately?</p> <p>15 Q. I don't know how to works.</p> <p>16 A. But you must have read the</p> <p>17 documentation I produced.</p> <p>18 Q. The best I can tell and you maybe be</p> <p>19 able to go off of this, you have a first draft.</p> <p>20 Looks like editors get in on the first draft. It</p> <p>21 gets reviewed a few more times. Fact checking</p> <p>22 comes in and just I guess go off of that. I can't</p> <p>23 really tell how the process works.</p> <p>24 A. I will try my best.</p> <p>25 MS. BOLGER: I guess again my</p>

<p style="text-align: right;">Page 130</p> <p>1 K. Baker</p> <p>2 instruction would be to confine yourself to</p> <p>3 this story.</p> <p>4 MR. RITCHEY: Just this article.</p> <p>5 MS. BOLGER: And again, this is not a</p> <p>6 memory test. So if you want to give your</p> <p>7 best recollection you can but it is not a</p> <p>8 memory test.</p> <p>9 A. So every story is different. That's</p> <p>10 why it is not easy for me to recall because it is</p> <p>11 not like -- something I really like about working</p> <p>12 on longer pieces, it is not like you are a</p> <p>13 breaking news reporter and you have a deadline and</p> <p>14 you file and it's edited immediately.</p> <p>15 With this story I believe that I wrote</p> <p>16 a few drafts at the beginning that were not for</p> <p>17 publication and were very, very different from the</p> <p>18 final story that was published. I wrote those</p> <p>19 drafts because I find it useful to just summarize</p> <p>20 everything that you know at the time. I don't</p> <p>21 know if lawyers do this, but it is just you are</p> <p>22 learning so much information and sometimes it is</p> <p>23 just really helpful to sit down and write it in</p> <p>24 chronological order even if you haven't</p> <p>25 corroborated anything or even sure if there is</p>	<p style="text-align: right;">Page 132</p> <p>1 K. Baker</p> <p>2 believe.</p> <p>3 It just took a few months to gather</p> <p>4 everything together and again, something I really</p> <p>5 love about BuzzFeed is they give you as much time</p> <p>6 as you need to make sure your story is as accurate</p> <p>7 as possible. I changed the story a lot and of</p> <p>8 course my story kept changing as I kept reporting.</p> <p>9 Once I got all the documents I had to rewrite the</p> <p>10 story.</p> <p>11 So then there is a draft and we had a</p> <p>12 preliminary fact check and then once I knew what I</p> <p>13 wanted to report in the story, I still wasn't done</p> <p>14 because the most important part had to happen and</p> <p>15 that's reaching out and doing those no surprises</p> <p>16 letters that I told you about. So it was time to</p> <p>17 finally reach out to all the people in my story</p> <p>18 and give them as much time as they needed to</p> <p>19 understand what I was planning to report at that</p> <p>20 time and asked them to comment or clarify and once</p> <p>21 I was able to reach everybody and made sure I</p> <p>22 heard back from them and then I asked some people</p> <p>23 like Captain Hood followup questions. Then I was</p> <p>24 done ready to publish my story.</p> <p>25 I think that pretty much sums it up</p>
<p style="text-align: right;">Page 131</p> <p>1 K. Baker</p> <p>2 going to be a story yet. It is just helpful to</p> <p>3 sit down and look at it and then go this is what</p> <p>4 needs to be there.</p> <p>5 So I started the draft process early</p> <p>6 and if you can see from my drafts, the first</p> <p>7 drafts were just completely different than the</p> <p>8 final story. That's because one, they weren't for</p> <p>9 publication, but I was taking them seriously while</p> <p>10 I was writing them because I take my job really</p> <p>11 seriously. So I had those first draft and then I</p> <p>12 knew I had to keep reporting. I changed a lot of</p> <p>13 stuff about the story and then in late May or</p> <p>14 early June, I don't remember exactly when, I</p> <p>15 received the felony packet from Mike who had</p> <p>16 subpoenaed the police I believe and the video</p> <p>17 interviews and some other documentation and as I</p> <p>18 said at the beginning, because my goal was to get</p> <p>19 as many public documents as possible.</p> <p>20 Also by this point I had gotten</p> <p>21 toxicology results or lack thereof for Megan. I</p> <p>22 had gotten more of her hospital records which I</p> <p>23 also got very late in the process. I was waiting</p> <p>24 on those. I got the statistics I was waiting for.</p> <p>25 I got more documentation from the university I</p>	<p style="text-align: right;">Page 133</p> <p>1 K. Baker</p> <p>2 but obviously this is just an overview.</p> <p>3 Q. That works.</p> <p>4 Did you ever attempt to get the police</p> <p>5 records from the homicide department?</p> <p>6 A. I did.</p> <p>7 Q. How did you do that?</p> <p>8 A. I believe that Alex Campbell was</p> <p>9 handling the records and all the data and he filed</p> <p>10 a public records request with the police. That's</p> <p>11 my recollection based on documentation that I</p> <p>12 reviewed recently.</p> <p>13 Q. And I couldn't tell from the e-mails.</p> <p>14 Did they ever respond to that initial</p> <p>15 request, do you remember?</p> <p>16 A. All I know is they did not give it to</p> <p>17 us. They denied it. I don't remember what form</p> <p>18 that denial took, but I had to get it from Mike</p> <p>19 through the subpoena.</p> <p>20 Q. Do you remember who denied it,</p> <p>21 anything like that?</p> <p>22 A. I don't but I assume it would be in</p> <p>23 their records.</p> <p>24 Q. Is there a reason for not -- that you</p> <p>25 did not send those no surprise letters earlier? I</p>



<p style="text-align: right;">Page 134</p> <p>1 K. Baker</p> <p>2 believe you kind of get the core of the story and</p> <p>3 correct me if I am wrong if I say anything, but</p> <p>4 the core of the story back in and around January,</p> <p>5 December?</p> <p>6 A. No, you are wrong.</p> <p>7 Q. Tell me how that works.</p> <p>8 A. So with no surprises I don't want to</p> <p>9 waste people's time. I don't want to put things</p> <p>10 to them that are inaccurate because what's the</p> <p>11 point in that. I have to wait until I know what I</p> <p>12 believe I want to report in my story. I did not</p> <p>13 have the core, as you can see if you read them.</p> <p>14 My draft changed from a completely different story</p> <p>15 from the beginning to six months later and we</p> <p>16 don't send no surprises letter until we fully</p> <p>17 understand what we believe to be the facts. Then</p> <p>18 of course we don't know for sure, the story is not</p> <p>19 done.</p> <p>20 If I had written a no surprises letter</p> <p>21 back when I didn't know what the story was and I</p> <p>22 (indecipherable) the documents no one would have</p> <p>23 gotten anywhere because people don't want to</p> <p>24 answer your questions all day. They have their</p> <p>25 own jobs to do and actually, you can see in my</p>	<p style="text-align: right;">Page 136</p> <p>1 K. Baker</p> <p>2 of the -- I don't if being a lawyer is similar,</p> <p>3 but you just don't know what your story is going</p> <p>4 to be about in the beginning.</p> <p>5 Q. During your research phase is there</p> <p>6 any reason why you didn't reach out to the</p> <p>7 homicide unit other than the records request?</p> <p>8 MS. BOLGER: I am going to object to</p> <p>9 the form. I think that's not correct but I</p> <p>10 also don't think you are seeking to mislead</p> <p>11 her. I am going to let her answer it, but I</p> <p>12 --</p> <p>13 MR. RITCHEY: I think he talks about</p> <p>14 statistics too I'll say.</p> <p>15 MS. BOLGER: I don't actually think</p> <p>16 that's totally right. Scotch, I really</p> <p>17 don't think you are trying to mislead her.</p> <p>18 MR. RITCHEY: No, I am not.</p> <p>19 MS. BOLGER: So I just wanted to make</p> <p>20 the right objection that I think that's</p> <p>21 wrong, if that's okay.</p> <p>22 Q. Correct me if I am wrong then. I'm</p> <p>23 sorry.</p> <p>24 A. I don't remember what the question</p> <p>25 was.</p>
<p style="text-align: right;">Page 135</p> <p>1 K. Baker</p> <p>2 e-mails with Gary Hood, Captain Hood at some point</p> <p>3 he very politely and I understood waived me off a</p> <p>4 bit and said I understand you have a job to do but</p> <p>5 I have my own job to do. People have limited time</p> <p>6 and so in order to make sure you are doing your</p> <p>7 job as accurately as possible you wait until you</p> <p>8 know what you want to ask people.</p> <p>9 Q. Did you know you were writing about</p> <p>10 the Rondini investigation in January of 2017?</p> <p>11 MS. BOLGER: Objection to form.</p> <p>12 You can answer.</p> <p>13 A. In January I wasn't sure yet what</p> <p>14 would be in the final story.</p> <p>15 Q. But did you know you were writing it</p> <p>16 about the Rondini investigation?</p> <p>17 MS. BOLGER: Objection to form. Same</p> <p>18 question.</p> <p>19 You can give the same answer.</p> <p>20 A. I was in the research phase.</p> <p>21 Q. So you didn't know what the story was</p> <p>22 and what you were writing about in January?</p> <p>23 A. I didn't even know if there would be a</p> <p>24 story. I know I was researching a story and</p> <p>25 considering all sorts of things and this is part</p>	<p style="text-align: right;">Page 137</p> <p>1 K. Baker</p> <p>2 Q. You are saying in January 2017 you</p> <p>3 don't know what the story is about yet; right?</p> <p>4 A. I was just researching it.</p> <p>5 Q. You were in the research mode.</p> <p>6 So is there a reason why you didn't</p> <p>7 reach out to the homicide department other than</p> <p>8 the statistics and the record request prior to</p> <p>9 those no surprise letters that you sent in June?</p> <p>10 A. We requested the files in her case I</p> <p>11 believe.</p> <p>12 Q. I am saying except for those.</p> <p>13 A. The files on Megan Rondini's case?</p> <p>14 Q. Right.</p> <p>15 A. And the general data and I had some</p> <p>16 other conversations and maybe I wasn't as eloquent</p> <p>17 as I thought I was. I thought I really described</p> <p>18 well why we wait for the no surprises e-mails. We</p> <p>19 don't want to waste people's time. We want to</p> <p>20 make sure we are accurate and we have to wait</p> <p>21 until we know what our questions are. I think</p> <p>22 that -- I tried to explain it as clearly as I</p> <p>23 could.</p> <p>24 Q. I am just wondering, was there a</p> <p>25 reason that you didn't ask Mr. Hood about what</p>

<p style="text-align: right;">Page 138</p> <p>1 K. Baker</p> <p>2 happened, Gary Hood or someone from homicide what</p> <p>3 happened during the investigation?</p> <p>4 MS. BOLGER: In January?</p> <p>5 MR. RITCHEY: Prior to the no surprise</p> <p>6 letters.</p> <p>7 MS. BOLGER: I am going to object to</p> <p>8 the form.</p> <p>9 You can answer it again.</p> <p>10 A. I do want to make sure that I -- I of</p> <p>11 course you know sent letters to and called and</p> <p>12 tried to speak to all the individual officers as</p> <p>13 well, but I was told Captain Hood was the person</p> <p>14 to talk to. He is at the end even though I tried</p> <p>15 to talk to them all separately.</p> <p>16 As I said, we can't waste people's</p> <p>17 time and we also can't and don't want to put</p> <p>18 inaccurate information to them. We have to wait</p> <p>19 until we know what our story is going to be, what</p> <p>20 it is going to look like and wait until we have</p> <p>21 all the information we want to ask them about.</p> <p>22 There is no way to ask the questions until we know</p> <p>23 what the questions are.</p> <p>24 Q. So at the time that the no surprise</p> <p>25 letters were sent out in this article, was only</p>	<p style="text-align: right;">Page 140</p> <p>1 K. Baker</p> <p>2 I also had a lot of public records for</p> <p>3 this story. I had worked very hard to try and</p> <p>4 understand why the police did their investigation</p> <p>5 the way that they did even before I reached out to</p> <p>6 comment to everybody. In fact, I waited six</p> <p>7 months to do so. I started looking into the story</p> <p>8 and doing research, but I didn't publish it for</p> <p>9 months because I didn't think I had enough of an</p> <p>10 understanding to know if I wanted to continue and</p> <p>11 then I got a lot of records, right. I got the</p> <p>12 felony packet, I had the interviews that the</p> <p>13 police did with everybody and I had some other</p> <p>14 materials as well.</p> <p>15 So through that I did have a sense of</p> <p>16 how the investigators did their job and of course</p> <p>17 the story wasn't just about the police. I also</p> <p>18 had a sense of what happened at the hospital, what</p> <p>19 happened with the mental health counselor through</p> <p>20 records, but like I said, I wasn't done reporting</p> <p>21 the story.</p> <p>22 A crucial and, in my opinion, most</p> <p>23 important part is when I did all those reach-outs</p> <p>24 and had those conversations and I am really</p> <p>25 thankful that Captain Hood gave me so much</p>
<p style="text-align: right;">Page 139</p> <p>1 K. Baker</p> <p>2 one side of the story told?</p> <p>3 MS. BOLGER: Objection to form. I</p> <p>4 don't understand.</p> <p>5 Q. Because you didn't reach out to TJ</p> <p>6 Bunn, you didn't reach out to Adam or Josh prior</p> <p>7 to the no surprise letters; correct?</p> <p>8 DI MS. BOLGER: I don't understand what</p> <p>9 you mean. Did the draft have only one side?</p> <p>10 Are you suggesting that the draft she had</p> <p>11 it? I don't understand what the question is</p> <p>12 so I am not going to let her answer because</p> <p>13 I don't understand what you mean by one side</p> <p>14 of the story.</p> <p>15 Q. How do you know what the story is</p> <p>16 about without getting every side of the story?</p> <p>17 A. I few thoughts on that. I said the</p> <p>18 most important part of the story to me is the no</p> <p>19 surprises part. When I sent them out of course I</p> <p>20 incorporated what they said, what all the various</p> <p>21 people I reached out to their responses to me,</p> <p>22 given to me I incorporated them into my draft and</p> <p>23 it is the most important part of my story, as I</p> <p>24 said, because of course you have to give people a</p> <p>25 chance to respond to our story.</p>	<p style="text-align: right;">Page 141</p> <p>1 K. Baker</p> <p>2 information that I put in my story.</p> <p>3 Q. Did Marisa Carroll have access to all</p> <p>4 the information and documents you gathered for the</p> <p>5 article?</p> <p>6 A. I would have given her access to</p> <p>7 anything she asked to see.</p> <p>8 Q. Would the same be for Tina?</p> <p>9 A. Yes. If they asked to see any</p> <p>10 information from, that I reported on in the</p> <p>11 article I would have given it to them, yes.</p> <p>12 Q. But only if they would have asked for</p> <p>13 it?</p> <p>14 MS. BOLGER: Object to the form of the</p> <p>15 question. I don't think she knows what is</p> <p>16 in their heads, but you can answer.</p> <p>17 Q. Let's see if I can do it this way.</p> <p>18 Is there like a Google drive or</p> <p>19 something where all the documents or information</p> <p>20 that you had was stored?</p> <p>21 A. I don't recall exactly what the</p> <p>22 situation was with all these documents four and a</p> <p>23 half years later.</p> <p>24 Q. But if Tina or Marisa wanted a</p> <p>25 document or some information that you gathered,</p>

<p style="text-align: right;">Page 142</p> <p>1 K. Baker</p> <p>2 they would ask you for it, they wouldn't go</p> <p>3 somewhere to get it?</p> <p>4 MS. BOLGER: Objection to form. I</p> <p>5 don't think that's what she testified.</p> <p>6 You can clear it up Katie.</p> <p>7 A. If I was asked by the editors can I</p> <p>8 see the underlying document for this, I would show</p> <p>9 it to them.</p> <p>10 Q. And you may have answered this and I</p> <p>11 apologize for asking it if you did, but did they</p> <p>12 have access to everything without having to ask</p> <p>13 you to show them the document?</p> <p>14 MS. BOLGER: Objection to form.</p> <p>15 To the extent you know what they did</p> <p>16 you can answer that question.</p> <p>17 A. I don't really understand the question</p> <p>18 because it kind of wouldn't matter because if they</p> <p>19 needed something they would have asked me where it</p> <p>20 was and I would give it to them.</p> <p>21 Q. But you knew all the information, you</p> <p>22 knew all the documents that you gathered; right</p> <p>23 obviously?</p> <p>24 A. Yes.</p> <p>25 Q. How would they know what you had?</p>	<p style="text-align: right;">Page 144</p> <p>1 K. Baker</p> <p>2 MS. BOLGER: Who? Objection to form.</p> <p>3 I think that would be different per person.</p> <p>4 Q. We will start with Sharmila.</p> <p>5 A. I gave Sharmila access to everything.</p> <p>6 Q. What about Marisa?</p> <p>7 A. It is just not the job of the editor</p> <p>8 to fact check the story. That's the fact</p> <p>9 checker's job. If an editor had asked me for</p> <p>10 something and sometimes they want to see it for</p> <p>11 themselves, they could have access to whatever</p> <p>12 they wanted, but it is the fact checker's job to</p> <p>13 check the facts.</p> <p>14 Q. So just what Marisa asked for you</p> <p>15 would give to her?</p> <p>16 MS. BOLGER: Object to the form. It</p> <p>17 is calling for a hypothetical. You can ask</p> <p>18 if it happened.</p> <p>19 Q. That's what I am asking, in the</p> <p>20 article or for the article if Marisa asked you for</p> <p>21 some source material you would give it to her, she</p> <p>22 wouldn't have access to everything?</p> <p>23 A. I can't recall -- I am sorry.</p> <p>24 MS. BOLGER: Objection to form.</p> <p>25 You can answer.</p>
<p style="text-align: right;">Page 143</p> <p>1 K. Baker</p> <p>2 MS. BOLGER: Object to the form of the</p> <p>3 question. You deposed them and you could</p> <p>4 have asked them, but Katie you can answer.</p> <p>5 A. I can't speak for them. All I can say</p> <p>6 is during the fact checking process how it works</p> <p>7 is I would go and I would highlight or comment in</p> <p>8 the draft every single assertion, factual</p> <p>9 assertion of the story and I would put this is</p> <p>10 where this assertion is from and then Sharmila the</p> <p>11 fact checker goes through every single one and she</p> <p>12 makes sure every single fact in the story is</p> <p>13 corroborated and so I know where everything is</p> <p>14 from in the story and if anyone else wanted to</p> <p>15 know they could ask me.</p> <p>16 Q. So you would be the source of their</p> <p>17 knowledge, would that be fair to say?</p> <p>18 MS. BOLGER: Objection to form.</p> <p>19 Again, you can answer if you know.</p> <p>20 A. I don't think I was the source. The</p> <p>21 public documents would be the source and I could</p> <p>22 help them look at the public documents which I</p> <p>23 obviously would do.</p> <p>24 Q. Did you give them all the source</p> <p>25 material you gathered or just what they asked for?</p>	<p style="text-align: right;">Page 145</p> <p>1 K. Baker</p> <p>2 A. I can't recall exactly what happened</p> <p>3 in the process of this article to that granular</p> <p>4 detail, but I have to say I don't think it really</p> <p>5 -- from my perspective there is nothing hidden in</p> <p>6 terms of the source material. Sharmila had access</p> <p>7 to everything. Editors could see anything they</p> <p>8 wanted. So I don't remember at a granular level</p> <p>9 if someone asked for what or not, but everything</p> <p>10 was corroborated by the documents or other</p> <p>11 materials that I had.</p> <p>12 Q. Do you think any part of the article</p> <p>13 is misleading?</p> <p>14 A. No. Well, the only thing I know to be</p> <p>15 inaccurate in the article is Captain Hood told me</p> <p>16 that Megan's case never went to a Grand Jury and I</p> <p>17 had no reason to believe that Captain Hood would</p> <p>18 give me inaccurate information. So I reported</p> <p>19 what he said and I later learned that he gave me</p> <p>20 the wrong information and it did go forward, but</p> <p>21 other than that I believe everything there to be</p> <p>22 true and accurate.</p> <p>23 Q. I believe you said you requested a</p> <p>24 standard operating procedures of the homicide</p> <p>25 unit; is that correct?</p>

<p style="text-align: right;">Page 146</p> <p>1 K. Baker</p> <p>2 MS. BOLGER: You can answer.</p> <p>3 A. I would have to look at my e-mails</p> <p>4 with Captain Hood to see the exact wording I used,</p> <p>5 but you have those e-mails.</p> <p>6 Q. And I am assuming you never got a copy</p> <p>7 of any standard operating agreement of the</p> <p>8 homicide unit; correct?</p> <p>9 A. No. He -- I asked a few times for</p> <p>10 policies and procedures and he did not give them</p> <p>11 to me.</p> <p>12 Q. What is your definition of blackout in</p> <p>13 regards to the article, as used in the article?</p> <p>14 MS. BOLGER: Can we look at the</p> <p>15 sentence in here?</p> <p>16 A. I am so sorry. I have to use the</p> <p>17 bathroom very quickly at some point in the near</p> <p>18 future. It doesn't have to be right now.</p> <p>19 MS. BOLGER: Before you start or stop,</p> <p>20 it is almost 1. So the food is outside. I</p> <p>21 don't know if you were in the middle of</p> <p>22 something or --</p> <p>23 MR. RITCHEY: Yes. Let me just finish</p> <p>24 this.</p> <p>25 MS. BOLGER: Of course.</p>	<p style="text-align: right;">Page 148</p> <p>1 K. Baker</p> <p>2 clinical psychologist and she is an expert in</p> <p>3 blackouts and she has testified that there is lots</p> <p>4 of things you can do in a blackout. You can sing</p> <p>5 karaoke and dance and walk and even consent to sex</p> <p>6 in a blackout is what she often testifies. So</p> <p>7 she'll testify in cases on behalf of the assailant</p> <p>8 and say he could have gotten consent to sex even</p> <p>9 if the person doesn't remember consenting. It is</p> <p>10 very interesting what I learned.</p> <p>11 So yeah, my understanding of a</p> <p>12 blackout and I bring that up because I have done</p> <p>13 research or read about this is that in a blackout</p> <p>14 you forget what happened for maybe a few hours,</p> <p>15 maybe shorter maybe longer but it doesn't</p> <p>16 necessarily mean that other people know that you</p> <p>17 are in a blackout.</p> <p>18 Q. At the time the article was published,</p> <p>19 did you believe that Miss Rondini was blacked out</p> <p>20 during the sexual intercourse?</p> <p>21 MS. BOLGER: Object to the form of the</p> <p>22 question.</p> <p>23 You can answer.</p> <p>24 A. As I report in my story, Megan was not</p> <p>25 blacked out during the allegation that she made of</p>
<p style="text-align: right;">Page 147</p> <p>1 K. Baker</p> <p>2 A. I am not trying to take a full break.</p> <p>3 Q. Just a few questions about that.</p> <p>4 A. Of course.</p> <p>5 Q. Let me see if I can find where it was</p> <p>6 used.</p> <p>7 MS. BOLGER: The paragraph starts</p> <p>8 "Megan who stood 5 foot 6" towards the top.</p> <p>9 Q. What page was that on?</p> <p>10 A. It is page 6.</p> <p>11 Q. This is Exhibit 122 and we are looking</p> <p>12 at page 6 of 18 and it is the second paragraph on</p> <p>13 this page.</p> <p>14 A. So my understanding of blacked out as</p> <p>15 written here is that there were some gaps in her</p> <p>16 memory from that night. So for example, she came</p> <p>17 to, as I wrote, around midnight in his car but she</p> <p>18 had gaps in her memory and didn't remember how she</p> <p>19 got into that car.</p> <p>20 I've actually read a story that you</p> <p>21 might find interesting about this woman Kim Fromm</p> <p>22 who is an expert witness and she testifies in</p> <p>23 sexual assault cases on behalf of the accused</p> <p>24 assailant. She does very high profile cases;</p> <p>25 Steubenville, the Stanford trial and she is a</p>	<p style="text-align: right;">Page 149</p> <p>1 K. Baker</p> <p>2 rape and she told the police that.</p> <p>3 Q. You said you read an article about Kim</p> <p>4 Fromme?</p> <p>5 A. Yes.</p> <p>6 Q. What's that article entitled?</p> <p>7 A. I don't recall. If you Google Kim</p> <p>8 Fromme from a BuzzFeed you will find it. She</p> <p>9 works at the University of Texas in Austin.</p> <p>10 Q. Do you recall if Miss Rondini ever</p> <p>11 stated that she blacked out to law enforcement?</p> <p>12 MS. BOLGER: Objection to form.</p> <p>13 You mean the word blackout?</p> <p>14 MR. RITCHEY: The word.</p> <p>15 A. I don't recall the exact words she</p> <p>16 used anymore unless I reported them in my story,</p> <p>17 but she was very clear that she had gaps in her</p> <p>18 memory and did not recall what happened during</p> <p>19 that time and that's the definition of a blackout.</p> <p>20 Q. Is that your definition of blackout or</p> <p>21 the definition of blackout? Are those two</p> <p>22 separate things or are they the same?</p> <p>23 A. I would have looked up the definition</p> <p>24 and like I said, I talked to clinical psychologist</p> <p>25 about the definition and this would have been fact</p>

<p style="text-align: right;">Page 150</p> <p>1 K. Baker</p> <p>2 checked but four years later I can't remember</p> <p>3 semantics, but I would have described -- I would</p> <p>4 have felt confident that I described it</p> <p>5 accurately.</p> <p>6 Q. Do you remember where you looked up</p> <p>7 the definition of blackout?</p> <p>8 A. I feel confident that I described it</p> <p>9 accurately in the story.</p> <p>10 Q. But do you remember where you looked</p> <p>11 it up?</p> <p>12 A. Four and a half years later I don't</p> <p>13 remember things like that, but I do have a fact</p> <p>14 checking document and there could be information</p> <p>15 in there that could be useful to you.</p> <p>16 Q. Could you have left Josh Hastings and</p> <p>17 Adam Jones out of the article?</p> <p>18 MS. BOLGER: Object to the form of the</p> <p>19 question.</p> <p>20 A. As a journalist I can't redact the</p> <p>21 names of public officials, tax payer funded public</p> <p>22 officials doing who are doing their job in public</p> <p>23 documents that I am reporting on. I fully respect</p> <p>24 the police and I am glad they are there to protect</p> <p>25 and serve us, but I also think they have to be</p>	<p style="text-align: right;">Page 152</p> <p>1 K. Baker</p> <p>2 Captain Hood. I include the names of the people</p> <p>3 that investigated Megan's allegations that I knew</p> <p>4 of.</p> <p>5 Q. Is there a reason why you didn't</p> <p>6 include all the officers listed in the felony</p> <p>7 report?</p> <p>8 A. What other officers?</p> <p>9 Q. You have the two initial Tuscaloosa</p> <p>10 Police Department officers. You've got I think, I</p> <p>11 maybe, you got Carroll. There maybe a few more I</p> <p>12 am missing.</p> <p>13 A. I think the fact that you don't</p> <p>14 remember their names either kind of speaks to the</p> <p>15 fact that I was really focusing on the key people</p> <p>16 that investigated this case and when I got all the</p> <p>17 information from the police it was Jones and</p> <p>18 Hastings who were conducting the interviews.</p> <p>19 Jones' name was on the felony packet and like I</p> <p>20 said, I included Lieutenant Hart's name because he</p> <p>21 wrote the e-mails to the Title IX administrator at</p> <p>22 the school and of course I included Captain Hood</p> <p>23 because he was the head of the department.</p> <p>24 So of course I included the names of</p> <p>25 all the people that were public officials who I</p>
<p style="text-align: right;">Page 151</p> <p>1 K. Baker</p> <p>2 accountable for the work they do. That's why</p> <p>3 those records are public and we wouldn't redact</p> <p>4 names of people who we are writing about in that</p> <p>5 way.</p> <p>6 Q. Why weren't you more critical about</p> <p>7 the training that they received?</p> <p>8 MS. BOLGER: Object to the form of the</p> <p>9 question.</p> <p>10 I don't understand that question, but</p> <p>11 you can answer it if you do.</p> <p>12 A. What do you mean critical? I don't</p> <p>13 understand the question.</p> <p>14 Q. I mean do you believe that Officer</p> <p>15 Jones and Hastings were only as good as the</p> <p>16 training they received?</p> <p>17 A. I never saw a copy of their policies</p> <p>18 and procedures even though I asked for it. So I</p> <p>19 can't comment on that.</p> <p>20 Q. Was there a reason why other officers</p> <p>21 involved in the investigation were not named?</p> <p>22 MS. BOLGER: Objection to form.</p> <p>23 You can answer.</p> <p>24 A. I included the names of two other</p> <p>25 officers who were involved Lieutenant Hart and</p>	<p style="text-align: right;">Page 153</p> <p>1 K. Baker</p> <p>2 was writing about.</p> <p>3 Q. Do you believe any of the other</p> <p>4 officers other than Jones and Hastings that were</p> <p>5 involved in the investigation did anything wrong</p> <p>6 during the investigation?</p> <p>7 MS. BOLGER: Object to the form of the</p> <p>8 question.</p> <p>9 A. I am not sure how to answer that</p> <p>10 question because my story was about an</p> <p>11 investigation into Megan Rondini's rape claim,</p> <p>12 multiple institutions and I was reporting on how</p> <p>13 her case was handled and the facts are accurate</p> <p>14 and truthful and they are based on public records</p> <p>15 and the public records that I used I included the</p> <p>16 names of the public officials in those documents.</p> <p>17 Q. I believe you listed some ways you</p> <p>18 think Officer Jones and Hastings could have</p> <p>19 conducted an investigation differently.</p> <p>20 Is there any other officer involved in</p> <p>21 the investigation that you believe that they</p> <p>22 should have conducted themselves in a different</p> <p>23 way?</p> <p>24 MS. BOLGER: I am going to object. I</p> <p>25 don't think she testified it was Jones and</p>



<p style="text-align: right;">Page 154</p> <p>1 K. Baker</p> <p>2 Hastings. She testified it was the</p> <p>3 sheriff's department.</p> <p>4 MR. RITCHEY: Even better.</p> <p>5 BY MR. RITCHEY:</p> <p>6 Q. The things you listed out to me</p> <p>7 earlier, who are those attributable to?</p> <p>8 A. My story was about the institution,</p> <p>9 the police department and of course I had to</p> <p>10 include the names of the public officials and the</p> <p>11 public documents that I used that were key to the</p> <p>12 story, but I wasn't focusing on these officers. I</p> <p>13 mean I was focusing on them in their capacity as</p> <p>14 investigators of this case.</p> <p>15 Q. And why did you not list every single</p> <p>16 investigator in the case?</p> <p>17 A. Because I was reporting on the</p> <p>18 investigation and in order to report on the</p> <p>19 investigation and tell the story in a legible way</p> <p>20 I had to include the names of the people who were</p> <p>21 part of the investigation, who are leading the</p> <p>22 investigation, but I wasn't -- I was reporting on</p> <p>23 the institution of the police department.</p> <p>24 Q. But why not include, if you are</p> <p>25 writing on an investigation and writing on the</p>	<p style="text-align: right;">Page 156</p> <p>1 K. Baker</p> <p>2 Police Department officers.</p> <p>3 A. I don't know who that is. I am sorry.</p> <p>4 Q. So the list of things that you told me</p> <p>5 that could have been done differently in the</p> <p>6 investigation, are you attributing those</p> <p>7 specifically to Adam Jones and Josh Hastings or</p> <p>8 are you attributing those to the homicide unit as</p> <p>9 a whole?</p> <p>10 A. Are you talking about my opinion which</p> <p>11 I think is not in the story?</p> <p>12 Q. Right.</p> <p>13 A. Let's go through all of those again.</p> <p>14 Q. Okay.</p> <p>15 A. The first thing I said was that I</p> <p>16 didn't think that Jones and Hastings, who were</p> <p>17 leading the investigation, followed up on Megan's</p> <p>18 claims that Bunn had held her down by the hips</p> <p>19 which she did tell them directly.</p> <p>20 Q. Let me stop you right there.</p> <p>21 MS. BOLGER: No, she is answering.</p> <p>22 Q. Okay. Go ahead. I wanted to clarify</p> <p>23 that a little bit.</p> <p>24 A. And the fact that she had said that</p> <p>25 she had verbally told Bunn that she didn't want to</p>
<p style="text-align: right;">Page 155</p> <p>1 K. Baker</p> <p>2 sheriff's office and the homicide department, why</p> <p>3 not include every single investigator that was</p> <p>4 involved in the case?</p> <p>5 A. We were just talking about them</p> <p>6 earlier and you didn't even remember all their</p> <p>7 names because there are a few people who are key</p> <p>8 to the investigation whose names are all over the</p> <p>9 records that I had and those are the people that I</p> <p>10 named.</p> <p>11 Q. So of the people you didn't name as</p> <p>12 investigators, do you think they did anything</p> <p>13 wrong during the investigation?</p> <p>14 MS. BOLGER: Object to the form of the</p> <p>15 question.</p> <p>16 A. I don't know what or who you are</p> <p>17 referring to in that question.</p> <p>18 Q. So there are other officers, other</p> <p>19 investigators in the case.</p> <p>20 Can you attribute whether or not they</p> <p>21 did anything wrong?</p> <p>22 MS. BOLGER: Objection to form.</p> <p>23 A. I don't know who you are referring to.</p> <p>24 I am sorry.</p> <p>25 Q. Officer Carroll and the Tuscaloosa</p>	<p style="text-align: right;">Page 157</p> <p>1 K. Baker</p> <p>2 have sex with him and that he continued. There</p> <p>3 are a few claims like that that they just did not</p> <p>4 pursue further. As the investigators who were in</p> <p>5 charge of the investigation and who ultimately</p> <p>6 found that no rape occurred under Alabama law, I</p> <p>7 do think I wonder why they didn't follow up on</p> <p>8 that questioning.</p> <p>9 So then in terms of Bunn, I think that</p> <p>10 given that they were in charge of the</p> <p>11 investigation they, I think I find it notable that</p> <p>12 they let him go on a four-day fishing trip with</p> <p>13 his lawyer. That they didn't -- Hastings followed</p> <p>14 up a little bit about the fact that he had lied to</p> <p>15 police initially, but didn't really press him on</p> <p>16 that at all. They never kind of went deeper into</p> <p>17 whether he had tampered with evidence or anything</p> <p>18 like that. I thought that was notable.</p> <p>19 I thought it was notable that Hastings</p> <p>20 and Jones never interviewed Megan's friends from</p> <p>21 that night even though she had given them their</p> <p>22 phone numbers.</p> <p>23 I thought it was notable Jones also</p> <p>24 gave her a refusal to -- offered to give her that</p> <p>25 refusal to prosecute form despite best practices</p>

<p style="text-align: right;">Page 158</p> <p>1 K. Baker</p> <p>2 that experts said you shouldn't do something like</p> <p>3 that.</p> <p>4 I think all of those do refer to Jones</p> <p>5 and Hastings.</p> <p>6 Q. So Jones and Hastings were the only</p> <p>7 officers in the investigation that you disagreed</p> <p>8 with their conduct?</p> <p>9 MS. BOLGER: Objection to form.</p> <p>10 That's absolutely not what she said.</p> <p>11 Q. That's why I am asking.</p> <p>12 MS. BOLGER: You can answer the</p> <p>13 question.</p> <p>14 A. I am happy to go through everything I</p> <p>15 said again. But you asked me to walk through all</p> <p>16 the points I made before and I believe I just did</p> <p>17 and I also explained why, how they related to</p> <p>18 Jones and Hastings.</p> <p>19 Q. So you don't believe any other</p> <p>20 investigator did anything wrong in the</p> <p>21 investigation?</p> <p>22 MS. BOLGER: Objection to form.</p> <p>23 A. I don't think I can answer that</p> <p>24 question.</p> <p>25 Q. Why not?</p>	<p style="text-align: right;">Page 160</p> <p>1 K. Baker</p> <p>2 A F T E R N O O N S E S S I O N .</p> <p>3 (1:45 p.m.)</p> <p>4 K A T I E B A K E R ,</p> <p>5 having been previously sworn, resumed the</p> <p>6 stand and testified further as follows:</p> <p>7 EXAMINATION (Cont'd)</p> <p>8 BY MR. RITCHEY:</p> <p>9 Q. When the article was published did you</p> <p>10 have any reason to believe that Investigator Jones</p> <p>11 or Hastings knew Miss Rondini's GPA?</p> <p>12 A. No.</p> <p>13 Q. Did you ever inquire into the locking</p> <p>14 mechanism used on TJ Bunn's door in his bedroom?</p> <p>15 A. No and I don't report in the story</p> <p>16 that it was locked. I just say she couldn't open</p> <p>17 the door.</p> <p>18 Q. Did the article ever receive any</p> <p>19 awards?</p> <p>20 A. No, not that I am aware of.</p> <p>21 Q. Again, I am going into some of the</p> <p>22 videos and ask when you received them. If you</p> <p>23 need me to show them to you I can show them to you</p> <p>24 but I am not going to go into any specifics in the</p> <p>25 videos, but for the Innisfree surveillance videos,</p>
<p style="text-align: right;">Page 159</p> <p>1 K. Baker</p> <p>2 A. Because my story was about what</p> <p>3 happened when Megan reported what she believed to</p> <p>4 be rape and in part was about our institutions</p> <p>5 too, but in part it was about how her claim was</p> <p>6 handled by the police and Jones and Hastings were</p> <p>7 the ones in charge of her case. Like I said, I</p> <p>8 also included e-mails from Kip Hart. I spoke at</p> <p>9 length with Captain Hood, e-mailed with him at</p> <p>10 length. So I don't think it is accurate that the</p> <p>11 only police officers in the story are Jones and</p> <p>12 Hastings.</p> <p>13 MS. BOLGER: The woman needs to go to</p> <p>14 the bathroom.</p> <p>15 Can we end this?</p> <p>16 MR. RITCHEY: Yes. I want to circle</p> <p>17 back when she gets back, but sure.</p> <p>18 MS. BOLGER: Off the record.</p> <p>19 (Discussion off the record.)</p> <p>20 (Recess taken.)</p> <p>21 (Luncheon recess: 1:12 p.m.)</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 161</p> <p>1 K. Baker</p> <p>2 do you understand what I am talking about there?</p> <p>3 MS. BOLGER: I am not sure there is a</p> <p>4 question there.</p> <p>5 Do you mean just do you understand?</p> <p>6 Q. Yes. If I refer to the Innisfree</p> <p>7 videos, do you understand that I am referring to</p> <p>8 those Innisfree surveillance videos? Do you</p> <p>9 understand what I am talking about?</p> <p>10 A. I can't recall whether I looked at the</p> <p>11 Innisfree surveillance videos.</p> <p>12 Q. Did you receive a copy of those</p> <p>13 videos?</p> <p>14 A. So you have everything that I</p> <p>15 received, but I can't recall -- I do recall most</p> <p>16 other things, but I can't recall whether I saw</p> <p>17 this video surveillance.</p> <p>18 Q. But you did receive them, am I getting</p> <p>19 that right? I can't remember what's been</p> <p>20 produced.</p> <p>21 MS. BOLGER: I think she is trying to</p> <p>22 tell you that she can't remember and if it</p> <p>23 has been produced, it's been produced.</p> <p>24 Q. Did you ever receive a copy of the</p> <p>25 surveillance videos from the houndstooth</p>

<p style="text-align: right;">Page 162</p> <p>1 K. Baker</p> <p>2 apartment?</p> <p>3 A. I did receive that, but I could not</p> <p>4 see footage that showed Megan or TJ Bunn or Jason</p> <p>5 Barksdale. So I was given some surveillance</p> <p>6 footage, but for whatever reason I couldn't find</p> <p>7 any images of people in the surveillance footage.</p> <p>8 Q. Was this surveillance footage that you</p> <p>9 received from recorded on July 1st or July 2nd of</p> <p>10 2015?</p> <p>11 A. I don't recall, but I can tell you why</p> <p>12 I didn't -- I can expand on -- I don't recall.</p> <p>13 Q. What did you want to expand on?</p> <p>14 MS. BOLGER: Go ahead.</p> <p>15 A. Both Megan and Bunn and -- at first</p> <p>16 Megan didn't remember going there but then police</p> <p>17 told her she went there. She gave them her phone</p> <p>18 so they could track her movements. She didn't</p> <p>19 deny having gone there. She just didn't remember</p> <p>20 it. So I didn't see anything on the footage, but</p> <p>21 I didn't feel like I needed the footage to</p> <p>22 corroborate anything. So I didn't ask for more</p> <p>23 footage.</p> <p>24 Q. Who did you get the footage from?</p> <p>25 A. Mike Rondini subpoenaed the police and</p>	<p style="text-align: right;">Page 164</p> <p>1 K. Baker</p> <p>2 given in February 2017 from the same person</p> <p>3 Bradley Fisher.</p> <p>4 Q. Does Exhibits 123 and 124 represent</p> <p>5 the DCH policy concerning victims of assault?</p> <p>6 MS. BOLGER: Object to the form of the</p> <p>7 question. She can't verify whether it is</p> <p>8 actually their policy. She can verify that</p> <p>9 she received them, but that's it.</p> <p>10 A. I asked Bradley Fisher some questions</p> <p>11 and they gave me a statement that says in response</p> <p>12 to an inquiry.</p> <p>13 Q. And do you believe that Exhibits 123</p> <p>14 and 124, is that your understanding that this is</p> <p>15 the policy of DCH concerning victims of sexual</p> <p>16 assault?</p> <p>17 A. No. It is not my understanding</p> <p>18 because they told me the procedures they followed</p> <p>19 and then they responded to some of my questions</p> <p>20 but I don't believe it is their full policy.</p> <p>21 Q. Would both exhibits combined, would</p> <p>22 you consider that DCH's policies Exhibits 123 and</p> <p>23 124?</p> <p>24 A. No. The first one is just an e-mail</p> <p>25 exchange.</p>
<p style="text-align: right;">Page 163</p> <p>1 K. Baker</p> <p>2 as I said the police wouldn't give us the case</p> <p>3 file, but I got it from Mike Rondini.</p> <p>4 MR. RITCHEY: Please mark this as</p> <p>5 Plaintiffs' Exhibit 123.</p> <p>6 (Plaintiffs' Exhibit 123, a document</p> <p>7 Bates Stamped BuzzFeed 60 to 61, marked for</p> <p>8 identification, as of this date.)</p> <p>9 MR. RITCHEY: Please mark this as</p> <p>10 Plaintiffs' Exhibit 124.</p> <p>11 (Plaintiffs' Exhibit 124, a document</p> <p>12 Bates stamped BuzzFeed 56 through 57, marked</p> <p>13 for identification, as of this date.)</p> <p>14 Q. We have marked Exhibit 123 as BuzzFeed</p> <p>15 60 to 61 and Exhibit 124 will be BuzzFeed 56</p> <p>16 through 57.</p> <p>17 Katie, I am going to ask you first to</p> <p>18 identify Exhibit 123 which is BuzzFeed 60 to 61.</p> <p>19 A. You want me to do what?</p> <p>20 Q. Just identify it on the record.</p> <p>21 A. This looks like part of e-mail</p> <p>22 correspondence I had with Bradley Fisher.</p> <p>23 Q. If you could identify Exhibit 124</p> <p>24 which is BuzzFeed 56 and 57.</p> <p>25 A. This looks like a statement that I was</p>	<p style="text-align: right;">Page 165</p> <p>1 K. Baker</p> <p>2 Q. It looks like it was a followup to the</p> <p>3 statement.</p> <p>4 A. They were just answering my questions.</p> <p>5 Q. Was it the responsibility of Jones and</p> <p>6 Hastings to take blood or urine samples from Miss</p> <p>7 Rondini during the course of the investigation?</p> <p>8 A. That's a good question. So I</p> <p>9 interviewed numerous experts. I interviewed state</p> <p>10 experts, national experts. I am happy to tell you</p> <p>11 about all of whom said it was, but of course I</p> <p>12 don't know if it was the policy of the police</p> <p>13 department because Captain Hood wouldn't give me</p> <p>14 the policies, but I told Captain Hood what I would</p> <p>15 be reporting in my story.</p> <p>16 Q. Those two experts you mentioned, who</p> <p>17 are they?</p> <p>18 MS. BOLGER: Object to the form of the</p> <p>19 question. She mentioned four.</p> <p>20 Q. I'm sorry, four.</p> <p>21 A. Yeah, I did mention four. So I</p> <p>22 interviewed two high officials at the Texas State</p> <p>23 forensic lab that handles the forensic report. So</p> <p>24 when somebody's blood and urine -- when police do</p> <p>25 request that someone's blood and urine is tested,</p>

<p style="text-align: right;">Page 166</p> <p>1 K. Baker</p> <p>2 it goes to this lab and I had two interviews with</p> <p>3 two officials there and they told me that it is</p> <p>4 the police who are supposed to request it if they</p> <p>5 suspect that there has been a drug facilitated</p> <p>6 sexual assault or if there's just been gaps in</p> <p>7 someone's memory and if there has been those gaps,</p> <p>8 then that's the best practice.</p> <p>9 Then I also spoke with Meg McGlamery</p> <p>10 and the woman who is the CEO of Turning Point who</p> <p>11 then left her job so I couldn't get back in touch</p> <p>12 with her.</p> <p>13 I spoke with the International</p> <p>14 Association of Chiefs of Police, the IACP and that</p> <p>15 those are some of the people I spoke with.</p> <p>16 Q. Did you speak to anyone that was</p> <p>17 actually in law enforcement about it?</p> <p>18 A. I tried. I spoke with Captain Hood</p> <p>19 and I ran everything by him that I was going to</p> <p>20 put in the story and I asked him repeatedly for</p> <p>21 those policies and procedures.</p> <p>22 MS. BOLGER: Is IACP not in law</p> <p>23 enforcement?</p> <p>24 Q. I'm sorry. Specific to Alabama.</p> <p>25 A. I think going to the director of the</p>	<p style="text-align: right;">Page 168</p> <p>1 K. Baker</p> <p>2 Q. In Exhibit 123 on BuzzFeed 60 if you</p> <p>3 look at the response from Bradley Fisher it says</p> <p>4 "Drug and alcohol testing of the patient is</p> <p>5 ordered at the discretion of the ED physician that</p> <p>6 sees the patient."</p> <p>7 Do you see where I am reading that?</p> <p>8 A. Yes.</p> <p>9 Q. Is that what your understanding was at</p> <p>10 the time of the publication of the article as</p> <p>11 well?</p> <p>12 A. No. This was February 7th. My story</p> <p>13 came out June 26th. By then I had done all the</p> <p>14 other interviews I told you about and of course</p> <p>15 talked to Captain Hood and I just want to make</p> <p>16 clear that in the story when I talk about this I</p> <p>17 talk about the hospital and the police separately</p> <p>18 and I say that. Let me just go to it. I want to</p> <p>19 make sure I am being accurate.</p> <p>20 So do you mind if I read it from the</p> <p>21 part that I am referring to?</p> <p>22 Q. That's fine. If you will tell me what</p> <p>23 page you are on.</p> <p>24 A. It is page 10.</p> <p>25 Q. And this is on the BuzzFeed article in</p>
<p style="text-align: right;">Page 167</p> <p>1 K. Baker</p> <p>2 state, the Alabama toxicology lab is from my</p> <p>3 perspective one of the foremost experts they can</p> <p>4 find since they handled the request and they work</p> <p>5 with law enforcement specifically on those</p> <p>6 requests.</p> <p>7 Q. Do they actually collect those</p> <p>8 samples?</p> <p>9 A. They process them and test them.</p> <p>10 Q. But they don't collect them from the</p> <p>11 victim, do they?</p> <p>12 A. They told me the police are supposed</p> <p>13 to do that.</p> <p>14 Q. Do you know what their basis was for</p> <p>15 saying that?</p> <p>16 A. The basis for the director of the</p> <p>17 forensics toxicology lab?</p> <p>18 Q. Yes.</p> <p>19 A. That's his job. His job is to process</p> <p>20 those tests and work with law enforcement.</p> <p>21 Q. Just to process the test though;</p> <p>22 correct?</p> <p>23 A. I don't know everything that falls</p> <p>24 under -- they are the director. So I assume that</p> <p>25 they have lots of responsibilities.</p>	<p style="text-align: right;">Page 169</p> <p>1 K. Baker</p> <p>2 Exhibit 122?</p> <p>3 A. Yes.</p> <p>4 So do you want me to read the full</p> <p>5 paragraph?</p> <p>6 MS. BOLGER: Yes.</p> <p>7 A. So "Studies show that trauma victims</p> <p>8 often have fragmented memories of assault. When</p> <p>9 confronted with such gaps police should consider</p> <p>10 the possibility of drug facilitated sexual assault</p> <p>11 the International Association of Chiefs of Police</p> <p>12 Guidelines explain. But investigators never</p> <p>13 tested Megan's blood or urine. According to the</p> <p>14 State Department that processes toxicology</p> <p>15 reports, which found no records associated with</p> <p>16 Megan's case." Then of course I explain that by</p> <p>17 Captain Hood as I did everything. He said "Hood</p> <p>18 said that was because Megan admitted to drinking</p> <p>19 alcohol on her own free will even though she told</p> <p>20 investigators she didn't think she'd had enough to</p> <p>21 blackout." Then I said "It's unclear if the</p> <p>22 hospital even collected the blood and urine</p> <p>23 samples necessary for forensic testing when it</p> <p>24 performed a basic rape kit on Megan. And "A DCH</p> <p>25 spokesperson declined to comment on Megan's case</p>

<p style="text-align: right;">Page 170</p> <p>1 K. Baker</p> <p>2 but he did say that the hospital doesn't employ</p> <p>3 SANE, sexual assault nurse examiners who are</p> <p>4 specially trained to collect critical forensic</p> <p>5 evidence."</p> <p>6 So I wanted to make clear what best</p> <p>7 practices are for police given the constraints I</p> <p>8 had because I didn't have the policies for the</p> <p>9 police of course and I put Hood's perspective for</p> <p>10 that reason but also wanted to explain what</p> <p>11 happened at the hospital and it is actually my</p> <p>12 understanding as a result of my reporting there is</p> <p>13 now a SANE program in Tuscaloosa.</p> <p>14 My story wasn't -- my story is on</p> <p>15 multiple institutions. It was also about the</p> <p>16 hospital and it is my understanding that as a</p> <p>17 result of this reporting now there is a SANE</p> <p>18 center in Tuscaloosa.</p> <p>19 Q. Do you disagree that drug and alcohol</p> <p>20 testing of the patient is ordered at the</p> <p>21 discretion of the ED physician that sees a patient</p> <p>22 according to DCH policy?</p> <p>23 A. So I --</p> <p>24 MS. BOLGER: Objection to form. There</p> <p>25 is nothing in the record that it suggested</p>	<p style="text-align: right;">Page 172</p> <p>1 K. Baker</p> <p>2 also made it clear in the story that the hospital</p> <p>3 could have collected the sample additionally and</p> <p>4 it is unclear if that happened.</p> <p>5 Q. Do you believe Bradley Fisher was</p> <p>6 truthful when he was telling you that drug and</p> <p>7 alcohol testing was ordered at the discretion of</p> <p>8 the ED physician for DCH?</p> <p>9 A. I have no way of knowing that.</p> <p>10 Q. Is there anything that would dispute</p> <p>11 that?</p> <p>12 A. I don't want to speculate. I don't</p> <p>13 know.</p> <p>14 Q. Did you ever obtain any text messages</p> <p>15 that were sent or received by Miss Rondini?</p> <p>16 A. In general?</p> <p>17 Q. For the article.</p> <p>18 A. Yes.</p> <p>19 Q. Do you know about how many?</p> <p>20 A. When I first met with Mike Rondini in</p> <p>21 early 2017 he gave me the text messages. All the</p> <p>22 text messages that were on her phone. I would</p> <p>23 guess hundreds if not thousands but, I know I am</p> <p>24 not supposed to speculate, but there was tons of</p> <p>25 text messages.</p>
<p style="text-align: right;">Page 171</p> <p>1 K. Baker</p> <p>2 this is a DCH policy. This is a response</p> <p>3 from a flack I think. PR person, a PR</p> <p>4 spokesperson.</p> <p>5 You can answer the question.</p> <p>6 A. Sorry.</p> <p>7 MR. RITCHEY: Do you mind repeating</p> <p>8 that question?</p> <p>9 (Record read.)</p> <p>10 MS. BOLGER: Same objection. There is</p> <p>11 no testimony that this is a policy.</p> <p>12 You can answer.</p> <p>13 A. I agree with her objection. This was</p> <p>14 a response now we know from Bradley Fisher but I</p> <p>15 wanted to make clear the story was about</p> <p>16 institutions and my goal was to say what are these</p> <p>17 institutions do. What could they have done</p> <p>18 differently. What was in line with best practices</p> <p>19 and so in this paragraph that I read I made clear</p> <p>20 that both investigators never tested her blood and</p> <p>21 urine even though according to the guidelines and</p> <p>22 that I did additionally four interviews just</p> <p>23 because I always try to over-report things, facts</p> <p>24 that everyone told me that it is something the</p> <p>25 police should do in this type of situation. But I</p>	<p style="text-align: right;">Page 173</p> <p>1 K. Baker</p> <p>2 Q. Is there any reason he gave those to</p> <p>3 you?</p> <p>4 A. I don't know why he gave those to me.</p> <p>5 I always accept whatever people would give me,</p> <p>6 just why not.</p> <p>7 Q. You didn't ask for them though, he</p> <p>8 just gave them to you?</p> <p>9 A. I asked him to give me anything he</p> <p>10 wanted to give me. You can see he sent me all</p> <p>11 sorts of things.</p> <p>12 Q. What was the format of those text</p> <p>13 messages?</p> <p>14 A. Gosh, I don't really know. You would</p> <p>15 know them because you would have seen them from my</p> <p>16 discovery I think.</p> <p>17 Q. Were they screen captures of text</p> <p>18 messages or was it --</p> <p>19 A. I am sorry. I am not very technically</p> <p>20 minded. I can read the text messages.</p> <p>21 Q. No, that's fine. I will show you one</p> <p>22 in a second, but I am trying to find out what</p> <p>23 format you received them in.</p> <p>24 Did he take like a picture of all the</p> <p>25 text messages and given them to you?</p>



<p style="text-align: right;">Page 174</p> <p>1 K. Baker</p> <p>2 A. Somehow he had the data from her</p> <p>3 phone. I don't know how or what the technical</p> <p>4 term is but it was not copy and pasted. I could</p> <p>5 see that they were text messages is my</p> <p>6 recollection.</p> <p>7 Q. And the data from the phone, this is</p> <p>8 the cell phone extraction report, does that ring a</p> <p>9 bell?</p> <p>10 A. No.</p> <p>11 MS. BOLGER: Actually, that question</p> <p>12 makes me think that she got that information</p> <p>13 from the police and that's not in the</p> <p>14 record.</p> <p>15 MR. RITCHEY: Okay, I'll ask her that.</p> <p>16 BY MR. RITCHEY:</p> <p>17 Q. Do you know where he got the text</p> <p>18 message printouts?</p> <p>19 A. He had them because it was his</p> <p>20 daughter's phone and he downloaded the data</p> <p>21 himself for a family member to (indecipherable)</p> <p>22 something from his phone.</p> <p>23 Q. So he didn't obtain that from the</p> <p>24 police or anything, to your knowledge?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 176</p> <p>1 K. Baker</p> <p>2 single text message that Mike showed me.</p> <p>3 Q. But you think you received this when</p> <p>4 he got all of the text messages that Mike gave</p> <p>5 you?</p> <p>6 A. He gave me what he said were all of</p> <p>7 the text messages. So I definitely had all the</p> <p>8 text messages but like I said, my story was about</p> <p>9 the police investigation. So I was looking at</p> <p>10 information that was pertinent to the police</p> <p>11 investigation.</p> <p>12 MS. BOLGER: Let me clarify. There</p> <p>13 are several versions of these text messages</p> <p>14 that were found in the BuzzFeed files and</p> <p>15 sent to you. I think what Katie is</p> <p>16 struggling with is that you are seeking to</p> <p>17 identify what she got from Mike Rondini</p> <p>18 specifically and she can't do that. She</p> <p>19 doesn't remember. That's what I think the</p> <p>20 disconnect is.</p> <p>21 MR. RITCHEY: Let me try again.</p> <p>22 BY MR. RITCHEY:</p> <p>23 Q. Did you have Exhibit 125 before you</p> <p>24 published the article?</p> <p>25 MS. BOLGER: So that's the point. I</p>
<p style="text-align: right;">Page 175</p> <p>1 K. Baker</p> <p>2 Q. Do you know who downloaded those text</p> <p>3 messages and other data for Mike Rondini?</p> <p>4 A. I think Mike -- I don't know.</p> <p>5 MR. RITCHEY: Please mark this as</p> <p>6 Plaintiffs' Exhibit 125.</p> <p>7 (Plaintiffs' Exhibit 125, a document</p> <p>8 Bates stamped BuzzFeed 4165 through 4190,</p> <p>9 marked for identification, as of this date.)</p> <p>10 Q. I am showing you what has been marked</p> <p>11 as Exhibit 125. This will be BuzzFeed 4165</p> <p>12 through 4190. Take your time to review it if you</p> <p>13 need.</p> <p>14 A. This will take me a long time to</p> <p>15 review.</p> <p>16 Q. I will only ask you questions on the</p> <p>17 first couple of pages, but is this a text message,</p> <p>18 a printout of a text message stream that you</p> <p>19 received from Mike Rondini?</p> <p>20 A. No, I don't recall everything because</p> <p>21 my story was about the investigation. So I was</p> <p>22 really focusing on what the police investigation</p> <p>23 and then what happened at the hospital. What</p> <p>24 happened with the mental health counselor was</p> <p>25 looking at. I didn't look in depth at every</p>	<p style="text-align: right;">Page 177</p> <p>1 K. Baker</p> <p>2 think she would testify she had text</p> <p>3 messages, but I don't know that she could</p> <p>4 testify she had this one.</p> <p>5 A. When I met with Mike six months before</p> <p>6 I published my story, he gave me what he said was</p> <p>7 his personal download of Megan's phone and her</p> <p>8 text messages. So I had those, but my story was</p> <p>9 about the rape report that she made and the</p> <p>10 institutions and everything that happened after</p> <p>11 that. So I was really focused on what the police</p> <p>12 knew and how the police decided that Megan's</p> <p>13 allegations did not constitute rape.</p> <p>14 And so I was given a lot of stuff but</p> <p>15 I am not -- the things I am familiar with are the</p> <p>16 facts pertinent to my story which was the</p> <p>17 investigation.</p> <p>18 Q. And if you will turn to BuzzFeed 4167</p> <p>19 in Exhibit 125 about halfway down there is a</p> <p>20 stream and it starts with the date 7/2/15 12:08</p> <p>21 a.m.</p> <p>22 Do you see that?</p> <p>23 A. Yes.</p> <p>24 Q. Do you ever remember reviewing that</p> <p>25 stream of text messages?</p>

<p style="text-align: right;">Page 178</p> <p>1 K. Baker</p> <p>2 A. I do.</p> <p>3 Q. And that would have been done before</p> <p>4 you published the article; correct?</p> <p>5 A. Yes. I did see these and even though</p> <p>6 I had no evidence that these texts were part of</p> <p>7 the police investigation, I did ask the person</p> <p>8 that Megan texted about these texts and I also</p> <p>9 asked her father about these texts.</p> <p>10 Q. Can you disclose who that person is?</p> <p>11 A. No. I promised her confidentiality</p> <p>12 but I know the police didn't interview her.</p> <p>13 Q. Did you discuss this text message</p> <p>14 string on BuzzFeed 146 in Exhibit 125 with anyone</p> <p>15 within BuzzFeed?</p> <p>16 A. I don't recall.</p> <p>17 Q. Do you remember discussing that with</p> <p>18 anyone outside of BuzzFeed other than any of your</p> <p>19 attorneys?</p> <p>20 MS. BOLGER: Other than the people she</p> <p>21 just testified to? She just testified she</p> <p>22 spoke to two people.</p> <p>23 Q. I'm sorry.</p> <p>24 Who were those two people?</p> <p>25 A. I spoke with the woman that Megan</p>	<p style="text-align: right;">Page 180</p> <p>1 K. Baker</p> <p>2 and Mike said that the police never asked him</p> <p>3 about it and like I said, the police never asked</p> <p>4 the woman about it either.</p> <p>5 Q. Did you ever receive a copy of the</p> <p>6 Snapchat videos that Miss Rondini took of Bunn's</p> <p>7 residence?</p> <p>8 A. I believe that I did, but I only</p> <p>9 recall that because I saw reference to them in</p> <p>10 documents we were reviewing.</p> <p>11 Q. Do you remember who gave those to you?</p> <p>12 A. I don't recall.</p> <p>13 Q. Do you remember when you received</p> <p>14 those?</p> <p>15 A. I just don't recall.</p> <p>16 Q. Do you remember whether or not you had</p> <p>17 those Snapchat videos before publication of the</p> <p>18 article?</p> <p>19 MS. BOLGER: Object to the form of the</p> <p>20 question. Asked and answered.</p> <p>21 A. I just said that I saw that I</p> <p>22 referenced having them so I must have had them,</p> <p>23 but I don't recall when I received them.</p> <p>24 Q. But you had them before publication?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 179</p> <p>1 K. Baker</p> <p>2 texted it to which the police did not and I spoke</p> <p>3 to Mike Rondini about them as well.</p> <p>4 Q. What did you discuss with the actual</p> <p>5 recipient of this text message, what was</p> <p>6 discussed?</p> <p>7 A. I asked her what she thought Megan</p> <p>8 meant by those text messages.</p> <p>9 Q. And what did she say?</p> <p>10 A. She said that she didn't know because</p> <p>11 an hour or so later Megan told her that she had</p> <p>12 been raped and went immediately to the hospital</p> <p>13 and immediately after that went to talk to the</p> <p>14 police and she believed her friend and that was</p> <p>15 kind of the end of it.</p> <p>16 Q. What was discussed with Mike Rondini?</p> <p>17 A. I asked him if he ever saw them or</p> <p>18 thought anything of it.</p> <p>19 Q. What did he say?</p> <p>20 A. He said the same. He said that he saw</p> <p>21 them, but the next thing he knew as well she had</p> <p>22 gone directly to the hospital saying she was raped</p> <p>23 and neither the woman that Megan texted nor Mike</p> <p>24 thought that that meant that her rape allegation</p> <p>25 wasn't what she believed to have happened to her</p>	<p style="text-align: right;">Page 181</p> <p>1 K. Baker</p> <p>2 MR. RITCHEY: Please mark this</p> <p>3 document as Plaintiffs' Exhibit 126.</p> <p>4 (Plaintiffs' Exhibit 126, a document</p> <p>5 Bates stamped BuzzFeed 4151 through 4155,</p> <p>6 marked for identification, as of this date.)</p> <p>7 Q. I am showing you what has been marked</p> <p>8 as Plaintiffs' Exhibit 126. It is BuzzFeed 4151</p> <p>9 through 4155.</p> <p>10 Do you recognize what Exhibit 126 is?</p> <p>11 A. It looks like it was a slack channel.</p> <p>12 It looks like it was a slack channel set up to</p> <p>13 discuss the images for the story.</p> <p>14 Q. This one you may not remember, but</p> <p>15 there is a user name associated with a few of</p> <p>16 these messages. It looks like the first one</p> <p>17 appears on 4151 and goes throughout.</p> <p>18 Do you remember who that was?</p> <p>19 MS. BOLGER: Don't speculate Katie.</p> <p>20 THE WITNESS: I wasn't going to.</p> <p>21 A. I don't know. It's going to be</p> <p>22 somebody who left the company. It is not me, if</p> <p>23 that's what you are wondering.</p> <p>24 MR. RITCHEY: Please mark this</p> <p>25 document as Plaintiffs' Exhibit 127.</p>

<p style="text-align: right;">Page 182</p> <p>1 K. Baker</p> <p>2 (Plaintiffs' Exhibit 127, a document</p> <p>3 Bates stamped BuzzFeed 92 through 95, marked</p> <p>4 for identification, as of this date.)</p> <p>5 Q. I am showing you what has been marked</p> <p>6 as Plaintiffs' Exhibit 127. It is BuzzFeed 92</p> <p>7 through 95.</p> <p>8 Do you recognize what Exhibit 127 is?</p> <p>9 A. It looks like an e-mail that I was, an</p> <p>10 e-mail exchange with Laura Geiser who is a photo</p> <p>11 editor at BuzzFeed.</p> <p>12 Q. On BuzzFeed 93 about halfway down</p> <p>13 there is an e-mail looks like you wrote on</p> <p>14 February 24, 2017 at 3:20 p.m.</p> <p>15 Do you see where I am?</p> <p>16 A. Yes.</p> <p>17 Q. In there you say "I have never done</p> <p>18 that with a freelancer and a source particularly</p> <p>19 legally sensitive."</p> <p>20 What did you mean by legally</p> <p>21 sensitive?</p> <p>22 MS. BOLGER: Just before you answer</p> <p>23 that question Katie, why don't you take a</p> <p>24 chance to read the whole exhibit so you know</p> <p>25 what you are talking about.</p>	<p style="text-align: right;">Page 184</p> <p>1 K. Baker</p> <p>2 marked for identification, as of this date.)</p> <p>3 Q. I am showing you what has been marked</p> <p>4 as Exhibit 128 and this is BuzzFeed 2495 through</p> <p>5 2500.</p> <p>6 Do you recognize what this Exhibit is?</p> <p>7 A. They look like they are comments on a</p> <p>8 very early draft that was over four months before</p> <p>9 my final story ran.</p> <p>10 Q. If you look towards the bottom of 2495</p> <p>11 it says "My larger point was that no officer would</p> <p>12 do this. It doesn't make any sense to test in</p> <p>13 this way. Maybe we should just delete this</p> <p>14 paragraph completely."</p> <p>15 Do you know what this is referencing</p> <p>16 to?</p> <p>17 A. I have no idea.</p> <p>18 Q. And I tried to find a match to it in</p> <p>19 the draft and I could not find it.</p> <p>20 MS. BOLGER: I can tell you it is</p> <p>21 related to confidential source information</p> <p>22 that was redacted before this was produced.</p> <p>23 Let me say this, I believe it. I don't want</p> <p>24 to swear on a stack of bibles, but my memory</p> <p>25 and what I understand is the redacted</p>
<p style="text-align: right;">Page 183</p> <p>1 K. Baker</p> <p>2 MR. RITCHEY: Please do that.</p> <p>3 MS. BOLGER: Then of course you are</p> <p>4 free to answer.</p> <p>5 A. If you look at the date, which is</p> <p>6 February 24th, March, April, May, it is still four</p> <p>7 months before my final story ran and I knew full</p> <p>8 well I did not have all the facts yet in the story</p> <p>9 and I didn't really know what my story was going</p> <p>10 to look like and at the end of the day I was still</p> <p>11 waiting for more information. I wasn't ready to</p> <p>12 tell anyone especially not my editor or my fact</p> <p>13 checker what I was looking at yet because my story</p> <p>14 concerned Megan Rondini's report of what she</p> <p>15 believed to be rape which is a serious allegation</p> <p>16 and I didn't want to -- it concerns the</p> <p>17 investigation into a serious allegation and it</p> <p>18 concerned institutions, the police department, the</p> <p>19 hospital, mental health services and I just didn't</p> <p>20 want to have anyone hear rumors when I wasn't done</p> <p>21 with my reporting.</p> <p>22 MR. RITCHEY: Please mark this as</p> <p>23 Plaintiffs' Exhibit 128.</p> <p>24 (Plaintiffs' Exhibit 128, a document</p> <p>25 Bates stamped BuzzFeed 2495 through 2500,</p>	<p style="text-align: right;">Page 185</p> <p>1 K. Baker</p> <p>2 comment from Marisa Carroll is what she was</p> <p>3 commenting on and that was related to a</p> <p>4 source that was confidential and was removed</p> <p>5 from the story.</p> <p>6 MR. RITCHEY: That answers that</p> <p>7 question. Please mark this document as</p> <p>8 Plaintiffs' Exhibit 129.</p> <p>9 (Plaintiffs' Exhibit 129, a document</p> <p>10 Bates stamped BuzzFeed 2602, marked for</p> <p>11 identification, as of this date.)</p> <p>12 Q. I am showing you what has been marked</p> <p>13 as Plaintiffs' Exhibit 129. This is BuzzFeed</p> <p>14 2602.</p> <p>15 Do you recognize this Exhibit?</p> <p>16 A. It looks like a comment on that really</p> <p>17 early draft.</p> <p>18 Q. And I am just using this to try to</p> <p>19 refresh your recollection, but you state looks</p> <p>20 like I guess I am going to call it call out. I</p> <p>21 can't think of the term.</p> <p>22 A. Tagging.</p> <p>23 Q. You are tagging Marisa and Tina asking</p> <p>24 can we please talk about something related to this</p> <p>25 tomorrow Friday. It looks like it is relating to</p>

<p style="text-align: right;">Page 186</p> <p>1 K. Baker</p> <p>2 a special inquiry. I am hoping this refreshes</p> <p>3 your recollection. If it doesn't, just tell me,</p> <p>4 if you had any conversations with them about</p> <p>5 special inquiry.</p> <p>6 A. No. And I would be very impressed</p> <p>7 with myself if I could remember. If I wrote this</p> <p>8 last week I probably wouldn't remember what it</p> <p>9 meant. Sorry.</p> <p>10 Q. I had to try.</p> <p>11 A. I wish my memory was that good.</p> <p>12 MR. RITCHEY: Please mark this as</p> <p>13 Plaintiffs' Exhibit 130.</p> <p>14 (Plaintiffs' Exhibit 130, a document</p> <p>15 Bates stamped BuzzFeed 2570, marked for</p> <p>16 identification, as of this date.)</p> <p>17 A. It looks like I am not on this e-mail.</p> <p>18 Q. Give me one second. I am showing you</p> <p>19 what has been marked as Exhibit 130. This is</p> <p>20 BuzzFeed 2570 and if you would just identify it</p> <p>21 for the record.</p> <p>22 MS. BOLGER: She can't identify it if</p> <p>23 she didn't receive it.</p> <p>24 Q. Have you ever received this e-mail?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 188</p> <p>1 K. Baker</p> <p>2 (Plaintiffs' Exhibit 131, a document</p> <p>3 Bates stamped BuzzFeed 2622, marked for</p> <p>4 identification, as of this date.)</p> <p>5 MR. RITCHEY: Please mark this</p> <p>6 document as Plaintiffs' Exhibit 132.</p> <p>7 (Plaintiffs' Exhibit 132, a document</p> <p>8 Bates stamped BuzzFeed 3826 through 3843,</p> <p>9 marked for identification, as of this date.)</p> <p>10 Q. We have first marked Exhibit 131 and</p> <p>11 that's going to be BuzzFeed 2622.</p> <p>12 Do you recognize Exhibit 131?</p> <p>13 A. It looks like comments on that draft,</p> <p>14 the same draft we have been discussing.</p> <p>15 Q. And then the second Exhibit I handed</p> <p>16 to you was 132 and that is BuzzFeed 3826 through</p> <p>17 3843.</p> <p>18 Do you recognize Exhibit 132?</p> <p>19 A. Just looking quickly it just looks</p> <p>20 like a draft of the story, but I don't know which</p> <p>21 one.</p> <p>22 Q. Is there any way to tell from the</p> <p>23 drafts which draft is it other than you</p> <p>24 remembering?</p> <p>25 MS. BOLGER: They all had metadata as</p>
<p style="text-align: right;">Page 187</p> <p>1 K. Baker</p> <p>2 Q. You have never seen Exhibit 130</p> <p>3 before?</p> <p>4 A. No.</p> <p>5 Q. This is an e-mail from Marisa Carroll</p> <p>6 to Shani Hilton, Maggie Schultz and Tina Susman</p> <p>7 regarding national desk memo 3/7/17 sent on</p> <p>8 3/7/2017 at 3:52 p.m. and I understand you have</p> <p>9 not seen this. I want to see if this refreshes</p> <p>10 your recollection. It appears that the article</p> <p>11 may have been published after Spring break in</p> <p>12 March of 2017.</p> <p>13 Was that the case ever?</p> <p>14 A. I can't speak for an e-mail that I</p> <p>15 didn't send or receive.</p> <p>16 Q. Do you ever remember this article</p> <p>17 being ready to publish at the end of March or</p> <p>18 early April 2017?</p> <p>19 A. No, I do not.</p> <p>20 MS. BOLGER: I am going to object to</p> <p>21 the form actually because it doesn't say we</p> <p>22 are ready to publish. It says we are almost</p> <p>23 done, but that's okay.</p> <p>24 MR. RITCHEY: Please mark this</p> <p>25 document as Plaintiffs' Exhibit 131.</p>	<p style="text-align: right;">Page 189</p> <p>1 K. Baker</p> <p>2 produced to you. All of the digital files</p> <p>3 contains metadata.</p> <p>4 MR. RITCHEY: I may need to talk to</p> <p>5 you about that because I am not sure where</p> <p>6 to look for that, but we can discuss that</p> <p>7 later.</p> <p>8 MS. BOLGER: So I will tell you the</p> <p>9 drafts are dynamic electronic documents so</p> <p>10 they are difficult because they are</p> <p>11 constantly updated, but they have all data</p> <p>12 that identifies which is which.</p> <p>13 MR. RITCHEY: That one is over my head</p> <p>14 believe it or not.</p> <p>15 MS. BOLGER: And obviously it is over</p> <p>16 mine but Kathleen and Amanda assures me that</p> <p>17 there is a way to tell them apart.</p> <p>18 MR. RITCHEY: That would be helpful.</p> <p>19 BY. MR. RITCHEY:</p> <p>20 Q. Any ways, on Exhibit 131 BuzzFeed 2622</p> <p>21 you talk about not implicating Tuscaloosa. This</p> <p>22 comment is also found on Exhibit 132 and that's</p> <p>23 going to be BuzzFeed 3828. Those comments look</p> <p>24 like comments 28 through 30 just for reference.</p> <p>25 If you need a second to review let me know.</p>



<p style="text-align: right;">Page 190</p> <p>1 K. Baker</p> <p>2 MS. BOLGER: I am going to ask you to</p> <p>3 review please.</p> <p>4 A. That comment that I made, do you know</p> <p>5 what sentence that comment relates to?</p> <p>6 Q. The best I can give you is it looks</p> <p>7 like most of those go to a point right above those</p> <p>8 three stars.</p> <p>9 A. Then I am just not going to be able to</p> <p>10 remember what it referred to.</p> <p>11 MS. BOLGER: So again just for the</p> <p>12 record, that redaction relates to</p> <p>13 information that was taken out of the story</p> <p>14 because it related to a confidential -- the</p> <p>15 big block text is redacted because it</p> <p>16 related to the confidential source that was</p> <p>17 taken out of the story.</p> <p>18 A. So the comment related to something</p> <p>19 that was taken out because --</p> <p>20 MS. BOLGER: I don't know about that</p> <p>21 but I know that that redaction in the middle</p> <p>22 was for that reason.</p> <p>23 MR. RITCHEY: Mark this as the next</p> <p>24 Exhibit please Plaintiffs' Exhibit 133.</p> <p>25 (Plaintiffs' Exhibit 133, a document</p>	<p style="text-align: right;">Page 192</p> <p>1 K. Baker</p> <p>2 Do you mind if we could we take a</p> <p>3 break so I can help her with a privilege</p> <p>4 assertion on this question?</p> <p>5 MR. RITCHEY: Okay.</p> <p>6 Is it about a confidential source?</p> <p>7 MS. BOLGER: No. As you see it says I</p> <p>8 just thought that legally we were trying to</p> <p>9 make it clear the difference between making</p> <p>10 the report and the crime itself and she</p> <p>11 wants me to ask a question, ask me a</p> <p>12 question about that, the word legal and</p> <p>13 whether there are privileged objections.</p> <p>14 So just hold on one second and we will</p> <p>15 be right back.</p> <p>16 (Pause.)</p> <p>17 (Witness confers with counsel.)</p> <p>18 MS. BOLGER: Katie just told me that</p> <p>19 that refers to a conversation. This was</p> <p>20 clawed back. I just got a text from Amanda</p> <p>21 saying we clawed this back.</p> <p>22 MR. RITCHEY: This one was?</p> <p>23 MS. BOLGER: Yes.</p> <p>24 MR. RITCHEY: I apologize. I have</p> <p>25 seen a lot of them and I can't keep up.</p>
<p style="text-align: right;">Page 191</p> <p>1 K. Baker</p> <p>2 Bates stamped BuzzFeed 3313 through 3314,</p> <p>3 marked for identification, as of this date.)</p> <p>4 Q. You have just been handed what was</p> <p>5 marked as Plaintiffs' Exhibit 133. It is BuzzFeed</p> <p>6 3313 through 3314.</p> <p>7 Do you recognize Exhibit 133?</p> <p>8 A. It looks like comments between me and</p> <p>9 my editor.</p> <p>10 Q. And I could not find a match to this</p> <p>11 specific comment I am going to be talking about.</p> <p>12 It is going to be the last comment on 3313 of</p> <p>13 Exhibit 133. It says "I just thought that legally</p> <p>14 we were trying to make it clear the difference</p> <p>15 between making the report and the crime itself and</p> <p>16 this seems to me to put more focus on the act of</p> <p>17 reporting, but if you don't like it we can take it</p> <p>18 out."</p> <p>19 I am just wondering, what is the</p> <p>20 difference that you are referring to here between</p> <p>21 making the report and the crime itself?</p> <p>22 THE WITNESS: I have a question for</p> <p>23 you about redactions.</p> <p>24 MS. BOLGER: She is asking me a</p> <p>25 privileged question.</p>	<p style="text-align: right;">Page 193</p> <p>1 K. Baker</p> <p>2 MS. BOLGER: Totally fine don't worry.</p> <p>3 But the reason we clawed it back, just so</p> <p>4 you know, is that reference is a</p> <p>5 conversation with an attorney, so we clawed</p> <p>6 it back. We didn't know when we produced it</p> <p>7 that it did and then we clawed it back once</p> <p>8 we learned.</p> <p>9 THE WITNESS: Should I rip it up?</p> <p>10 MS. BOLGER: Just put it with the</p> <p>11 other documents.</p> <p>12 MR. RITCHEY: Please mark this</p> <p>13 document as Plaintiffs' Exhibit 134.</p> <p>14 (Plaintiffs' Exhibit 134, a document</p> <p>15 Bates stamped BuzzFeed 509 to 519, marked</p> <p>16 for identification, as of this date.)</p> <p>17 Q. You have just been handed Exhibit 134.</p> <p>18 This is BuzzFeed 509 to 519.</p> <p>19 Do you recognize Exhibit 134?</p> <p>20 A. Yes.</p> <p>21 Q. What is it?</p> <p>22 A. This was my correspondence with</p> <p>23 Captain Hood. As I said, I reached out to all of</p> <p>24 the police officers named in the story and tried</p> <p>25 really hard to get them to speak with me</p>



<p style="text-align: right;">Page 194</p> <p>1 K. Baker</p> <p>2 individually, but I was told that Captain Hood</p> <p>3 would speak for everybody. So I asked him my</p> <p>4 questions and we had a back and forth for a while</p> <p>5 and this was my no surprises letter that I had</p> <p>6 told you about. So I sent him everything we were</p> <p>7 planning to include in the story and the goal was</p> <p>8 to give him a chance to tell me anything that I</p> <p>9 didn't know that was part of the investigation</p> <p>10 that I wasn't aware of and he did tell me some</p> <p>11 things and we reflected all his key points in our</p> <p>12 story.</p> <p>13 Q. Were any discussions held concerning</p> <p>14 the explanations provided in this e-mail?</p> <p>15 MS. BOLGER: Where?</p> <p>16 Q. Any time besides with your attorneys.</p> <p>17 A. I can't recall for sure.</p> <p>18 Q. Was there any reason why the dates</p> <p>19 that Captain Hood mentions on BuzzFeed 509 in the</p> <p>20 Exhibit 134 concerning the Grand Jury process was</p> <p>21 not included in the article. So I am looking at</p> <p>22 the second paragraph on 509.</p> <p>23 Any reason why those dates were not</p> <p>24 included in the article?</p> <p>25 A. Sorry. I am just refamiliarizing</p>	<p style="text-align: right;">Page 196</p> <p>1 K. Baker</p> <p>2 MS. BOLGER: Actually, that paragraph</p> <p>3 is about the Grand Jury.</p> <p>4 A. Is your --</p> <p>5 MS. BOLGER: You want to look at the</p> <p>6 story?</p> <p>7 A. I don't see September 21st. I see</p> <p>8 September 2015 which I think is more than fair</p> <p>9 enough for the reader. It is page 15 and it is</p> <p>10 three paragraphs up from the bottom and exactly I</p> <p>11 say in my story that "Although Megan and her</p> <p>12 family were told her criminal case wouldn't move</p> <p>13 forward, the District Attorney's Office eventually</p> <p>14 decided to present it to a Grand Jury after all.</p> <p>15 There was a catch in a package deal. The Grand</p> <p>16 Jury would also rule on felony charges against</p> <p>17 Megan for breaking into Bunn's car and stealing</p> <p>18 his gun. Internal documents from September 2015</p> <p>19 imply authorities didn't intend to fight too hard</p> <p>20 on Megan's behalf. Investigators noted they found</p> <p>21 no sexual assault occurred."</p> <p>22 Q. So you never stated that the</p> <p>23 investigation was finished and the file submitted</p> <p>24 to the District Attorney's Office on September 1,</p> <p>25 2015 why was that not included?</p>
<p style="text-align: right;">Page 195</p> <p>1 K. Baker</p> <p>2 myself with all of this.</p> <p>3 MS. BOLGER: Actually, I object to the</p> <p>4 form of the question.</p> <p>5 You can answer.</p> <p>6 A. Sorry. I am just trying to make sure</p> <p>7 I understand.</p> <p>8 MS. BOLGER: I object to the predicate</p> <p>9 that the date wasn't included in the</p> <p>10 article.</p> <p>11 MR. RITCHEY: All the dates.</p> <p>12 A. So which dates weren't included in the</p> <p>13 article?</p> <p>14 Q. I believe it is never mentioned that</p> <p>15 the investigation was finished and submitted to</p> <p>16 the District Attorney's Office on September 21,</p> <p>17 2015.</p> <p>18 A. So I say internal documents from</p> <p>19 September 2015 in my article which is what I knew</p> <p>20 I had. I had internal documents. So I do say</p> <p>21 September 2015.</p> <p>22 Q. You say you have a document from</p> <p>23 September 2015. You don't say it was presented to</p> <p>24 the Grand Jury or anything was presented to the</p> <p>25 Grand Jury.</p>	<p style="text-align: right;">Page 197</p> <p>1 K. Baker</p> <p>2 A. You are asking why this September 2015</p> <p>3 instead of September 21st?</p> <p>4 Q. No. I think I am more asking is why</p> <p>5 did you not say when the investigation was</p> <p>6 finished and when that investigative file was</p> <p>7 submitted to the District Attorney's Office?</p> <p>8 A. I think it is clear in the story that</p> <p>9 I say September 2015. I am sorry. I don't</p> <p>10 understand what you think I should have included.</p> <p>11 Q. All it says is you've got internal</p> <p>12 documents from September 2015 and authorities</p> <p>13 didn't intend to fight too hard on Megan's behalf.</p> <p>14 Investigators noted they found no sexual assault</p> <p>15 occurred. Got that.</p> <p>16 I am asking why did you not put in</p> <p>17 when the investigation ended and when the</p> <p>18 investigator file was turned over to the District</p> <p>19 Attorney's Office?</p> <p>20 A. I think the timeline is clear in this</p> <p>21 paragraph. I say "The District Attorney's Office</p> <p>22 eventually decided to present it to a Grand Jury</p> <p>23 after all." And this information that Captain</p> <p>24 Hood helpfully provided, help me fact check that I</p> <p>25 was right and do the chronology, but of course as</p>

<p style="text-align: right;">Page 198</p> <p>1 K. Baker</p> <p>2 I said, he told me that Megan's case never went</p> <p>3 forward which it did. So I didn't know that, but</p> <p>4 I think the timeline on my story is clear and</p> <p>5 accurate.</p> <p>6 Q. When the article was published, were</p> <p>7 you aware that Josh Hastings had spoken to TJ Bunn</p> <p>8 during the time that Josh was at Bunn's residence?</p> <p>9 MS. BOLGER: You mean the morning of</p> <p>10 July 2nd?</p> <p>11 MR. RITCHEY: Correct.</p> <p>12 A. So it's hard for me to recall</p> <p>13 everything that I knew. So I am just looking at</p> <p>14 the story and I report that Josh Hastings is</p> <p>15 interviewing Bunn on July 6th.</p> <p>16 MS. BOLGER: I don't think that was</p> <p>17 Scotch's question.</p> <p>18 A. Could you repeat the question?</p> <p>19 MR. RITCHEY: Do you mind repeating my</p> <p>20 question please?</p> <p>21 (Record read.)</p> <p>22 MS. BOLGER: That question is very</p> <p>23 confusing.</p> <p>24 So can you give her a timeline?</p> <p>25 MR. RITCHEY: Okay.</p>	<p style="text-align: right;">Page 200</p> <p>1 K. Baker</p> <p>2 were you aware that it was standard procedure for</p> <p>3 law enforcement to keep in touch with the Title IX</p> <p>4 office with the University of Alabama?</p> <p>5 A. I couldn't have known what the</p> <p>6 policies and procedures were because Captain Hood</p> <p>7 wouldn't give them to me.</p> <p>8 Q. Did Captain Hood ever tell you that</p> <p>9 was the standard policy and procedure?</p> <p>10 A. I asked repeatedly for the policies</p> <p>11 and procedures and he wouldn't give them to me.</p> <p>12 MS. BOLGER: We have been going for</p> <p>13 about an hour, so I wouldn't mind a break</p> <p>14 any time soon.</p> <p>15 MR. RITCHEY: I have one more question</p> <p>16 on this. I am trying to find the spot to</p> <p>17 direct y'all to but after that we can.</p> <p>18 I think you may have answered it</p> <p>19 already, so why don't we go ahead and take</p> <p>20 that break.</p> <p>21 MS. BOLGER: Thanks.</p> <p>22 (Recess taken.)</p> <p>23 A. I wanted to correct one thing.</p> <p>24 Captain Hood didn't give me his policies and</p> <p>25 procedures. I answered too quickly and he did say</p>
<p style="text-align: right;">Page 199</p> <p>1 K. Baker</p> <p>2 BY. MR. RITCHEY:</p> <p>3 Q. I am going to ask it again. It maybe</p> <p>4 better.</p> <p>5 At the time the article was published,</p> <p>6 were you aware that Josh Hastings had spoken to TJ</p> <p>7 Bunn at TJ Bunn's residence on July 2, 2015?</p> <p>8 A. I was aware that investigators went to</p> <p>9 Bunn's house and he said that Megan hadn't been</p> <p>10 there that night. Yes, I did know that. I was</p> <p>11 aware and I was aware that Bunn initially said</p> <p>12 Megan hadn't been there that night and that</p> <p>13 eventually they left and they didn't call him in</p> <p>14 for questioning until after he went on the</p> <p>15 four-day fishing trip with his lawyer and close</p> <p>16 the window and the tampering with the crime</p> <p>17 screen.</p> <p>18 Q. For my clarity, you were aware at the</p> <p>19 time of publishing that Josh Hastings had spoken</p> <p>20 to TJ Bunn at TJ's residence on July 2, 2015?</p> <p>21 A. Yes and as I report in the story when</p> <p>22 he comes in four days later after the fishing</p> <p>23 trip, Hastings refers to that initial conversation</p> <p>24 they have and I quote from it in the story.</p> <p>25 Q. At the time the article was published,</p>	<p style="text-align: right;">Page 201</p> <p>1 K. Baker</p> <p>2 that it was standard procedure for us to stay in</p> <p>3 contact with the Title IX coordinator and keep</p> <p>4 them informed. So I just wanted to get that on</p> <p>5 the record.</p> <p>6 Q. Is there any reason why that did not</p> <p>7 make it into the article?</p> <p>8 A. I didn't say in the article that there</p> <p>9 was a problem with them keeping them informed.</p> <p>10 What I found notable about the correspondence is</p> <p>11 that Lieutenant Hart also kept them informed in</p> <p>12 the case against Megan and shared allegations</p> <p>13 before they formally charged her or anything like</p> <p>14 that which wasn't part of the protocol.</p> <p>15 MR. RITCHEY: Please mark this as</p> <p>16 Plaintiffs' Exhibit 135.</p> <p>17 (Plaintiffs' Exhibit 135, a document</p> <p>18 Bates stamped BuzzFeed 2475 through 2477,</p> <p>19 marked for identification, as of this date.)</p> <p>20 Q. I am showing you what has been marked</p> <p>21 as Exhibit 135. It is BuzzFeed 2475 through 2477.</p> <p>22 Feel free to take a look, but I am going to be</p> <p>23 asking you about a comment on BuzzFeed 2476 about</p> <p>24 almost halfway down where he says something like</p> <p>25 this to make clear she thought she was drugged,</p>

<p style="text-align: right;">Page 202</p> <p>1 K. Baker</p> <p>2 but if you need a second to read for context let</p> <p>3 me know.</p> <p>4 A. So this looks like a comment from that</p> <p>5 early on draft back in February and this was</p> <p>6 before I had any of the medical records or</p> <p>7 anything like that.</p> <p>8 Q. Would this had been before you had the</p> <p>9 subpoenaed documents from Mike Rondini as well?</p> <p>10 A. Yes.</p> <p>11 Q. When you published the article, did</p> <p>12 you think that Miss Rondini thought she was</p> <p>13 drugged?</p> <p>14 A. There is no way of knowing whether she</p> <p>15 was drugged because her blood and her urine was</p> <p>16 never tested.</p> <p>17 Q. And then at the time of publication</p> <p>18 did you have any reason to believe that Miss</p> <p>19 Rondini thought she was drugged?</p> <p>20 A. I didn't report that she thought she</p> <p>21 was drugged in my story and I didn't believe that</p> <p>22 either because I didn't report it in my story but</p> <p>23 I did report in my story she had gaps in her</p> <p>24 memory and as I reported in my story, when someone</p> <p>25 has gaps in their memory of the kind Megan has it</p>	<p style="text-align: right;">Page 204</p> <p>1 K. Baker</p> <p>2 you have to reach?</p> <p>3 A. I don't know.</p> <p>4 MR. RITCHEY: Please mark this</p> <p>5 document as Plaintiffs' Exhibit 137.</p> <p>6 (Plaintiffs' Exhibit 137, a document</p> <p>7 Bates stamped BuzzFeed 3202 through 3205,</p> <p>8 marked for identification, as of this date.)</p> <p>9 MR. RITCHEY: Go ahead and mark this</p> <p>10 document as Plaintiffs' Exhibit 138 as well.</p> <p>11 (Plaintiffs' Exhibit 138, a document</p> <p>12 Bates stamped BuzzFeed 3783 through 3793,</p> <p>13 marked for identification, as of this date.)</p> <p>14 Q. You have been handed Exhibit 137 which</p> <p>15 is BuzzFeed 3202 through 3205.</p> <p>16 Do you recognize Exhibit 137?</p> <p>17 A. It looks like it is a conversation</p> <p>18 between me, Marisa Carroll and the fact checker</p> <p>19 Sharmila.</p> <p>20 Q. I have handed you Exhibit 138 and</p> <p>21 that's BuzzFeed 3783 through 3793.</p> <p>22 Do you recognize Exhibit 138?</p> <p>23 A. It looks like it is another one of my</p> <p>24 many drafts.</p> <p>25 Q. If you need time to review let me</p>
<p style="text-align: right;">Page 203</p> <p>1 K. Baker</p> <p>2 is best practice to test the urine and the blood</p> <p>3 regardless of what the alleged victim thinks.</p> <p>4 MR. RITCHEY: Please mark this</p> <p>5 document as Plaintiffs' Exhibit 136.</p> <p>6 (Plaintiffs' Exhibit 136, a document</p> <p>7 Bates stamped BuzzFeed 3719, marked for</p> <p>8 identification, as of this date.)</p> <p>9 Q. You are being shown what was marked as</p> <p>10 Plaintiffs' Exhibit 136. It is BuzzFeed 3719. I</p> <p>11 am just wondering what it means to be badged</p> <p>12 trending.</p> <p>13 A. So BuzzFeed News because our</p> <p>14 editor-in-chief is a Pulitzer Price winning</p> <p>15 journalist and we are very serious people but</p> <p>16 originally because the website started off, I</p> <p>17 don't know how it started off, but there is all</p> <p>18 this stuff I don't really understand about badges</p> <p>19 and so on that are from before I started and it is</p> <p>20 sort of automatic. From what I can tell it just</p> <p>21 means people are reading your story. I often get</p> <p>22 this type of thing when I write a story. It</p> <p>23 publishes and people are reading it and you got</p> <p>24 this thing that people are reading your story.</p> <p>25 Q. Do you happen to know what threshold</p>	<p style="text-align: right;">Page 205</p> <p>1 K. Baker</p> <p>2 know.</p> <p>3 A. I think it might take a while for me</p> <p>4 to read the whole draft.</p> <p>5 Is that what you want me to do?</p> <p>6 Q. Why don't I try to ask the question</p> <p>7 and if you need to review for context, let me know</p> <p>8 and we can, we will do that. I don't want you to</p> <p>9 have to read the whole thing.</p> <p>10 On Exhibit 137 on BuzzFeed 3202</p> <p>11 Sharmila had a few questions about the video</p> <p>12 interview specifically when you stated Jones</p> <p>13 abruptly left the room. It's going to be the</p> <p>14 first comment section right there.</p> <p>15 Did you and Sharmila have any</p> <p>16 conversations concerning this part of the article?</p> <p>17 And these comments are going to be also found in</p> <p>18 Exhibit 138 on BuzzFeed 3787 comment 58 through</p> <p>19 61.</p> <p>20 A. So for fact checking we try and have</p> <p>21 our conversations written down for these purposes</p> <p>22 not because we hope one day we will be deposed,</p> <p>23 but because it is so easy to go back and see what</p> <p>24 we were thinking. So I think these comments</p> <p>25 actually like clearly lay out our discussion where</p>

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2 I felt that Sharmila was speculating on what was

3 in somebody's head which of course we do reach out

4 for comment and I did, but if someone doesn't tell

5 us what they are thinking and we just have a video

6 as I say here, I tried to stick to the facts

7 rather than speculate on his intentions. And I

8 asked her to be specific if she felt I was being

9 factually inaccurate and she, with the final

10 wording, did not.

11 So again we didn't want to speculate

12 on what Jones was thinking. We wanted to describe

13 it and also because I reached out to him and he

14 didn't get back to me, I did include a text from

15 Megan where she said that he said he was going to

16 get the gun because he was worried about little

17 kids getting it because I really wanted to explain

18 what he was doing.

19 Q. In this portion that's being referred

20 to in the comments, did you agree with Sharmila at

21 the time that it misled Jones's intention in any

22 way?

23 MS. BOLGER: I object to the form of

24 the question. That's not what Sharmila

25 testified. Sharmila testified that when the

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2 story was published she was perfectly

3 comfortable with the story.

4 MR. RITCHEY: Yeah, I got that. I'm

5 saying at the time she wrote this comment.

6 A. I think I just answered that because I

7 said I tried to stick to the facts rather than

8 speculate on his intentions. So I felt like she

9 was speculating into what was in his head and I

10 wanted to stick with the facts, as is always what

11 I try to do, and like I said, just to be extra,

12 extra clear given that Jones declined to speak

13 with me about this part of the story, I included

14 the text that Megan sent at that time where she

15 said that Jones said that he was going to get the

16 gun to make sure that little kids couldn't use it.

17 Q. As used in the article, what was your

18 definition of abruptly?

19 A. Abruptly means like quickly. I was

20 just describing his literal physical actions.

21 Like I said, I was explaining in the only way

22 possible given that he wouldn't speak to me. He

23 said that he had to go make sure to get the gun so

24 kids didn't grab it.

25 Q. You are saying you couldn't tell

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2 Jones' intentions from the video interview?

3 A. I try and stick with the facts rather

4 than speculate. So he told Megan why he went. I

5 think in terms of abruptly as well. Megan was

6 there to report what she believed to be a rape and

7 then she was describing what happened and then she

8 mentioned the gun and then he left the room and

9 the investigation changed because he started

10 investigating her for those felonies, but like I

11 said, I made clear to include in the story what he

12 said to Megan through her text since Jones

13 wouldn't talk to me directly.

14 Q. Why did you use Megan's text to

15 introduce the idea that he was going to get the

16 gun for the protection of the neighborhood rather

17 than using Jones' words itself?

18 A. I thought that it was really important

19 for readers to understand that he had a reason to

20 go get the gun. He wanted to protect children.

21 Q. Why didn't you use Jones' voice to

22 tell the readers that rather than Miss Rondini's

23 voice to do so?

24 A. I used Jones' voice as well.

25 Q. For that specific part?

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2 A. Yes.

3 Q. How?

4 A. I think it was clearest in her voice.

5 Q. Wouldn't it be clear from the person

6 who actually said it rather than a secondhand

7 account?

8 A. I think the clearest thing is that he

9 is going to help little children from a gun. If I

10 use that quote that's because he said the thing

11 about the children clearest in that way.

12 Q. But why not use his voice if he said

13 it?

14 A. I don't recall how he used, how he

15 described it to Megan or how that might have been

16 on the record, but at the time I felt the clearest

17 way of showing it is I wanted to get across the

18 fact he wanted to help children. He wouldn't

19 speak to me even though I called him and sent him

20 a letter and I really wanted to make it clear

21 that's what he was doing and that's what I had to

22 work with.

23 Q. He says in the interview, recorded

24 interview tape with Megan Rondini; correct?

25 A. I can't recall the exact words from

<p style="text-align: right;">Page 210</p> <p>1 K. Baker</p> <p>2 the interview. All I know is at the time I felt</p> <p>3 it was important for me to be accurate what he was</p> <p>4 going to do and I felt since he did go do it for</p> <p>5 that reason; right.</p> <p>6 That is why Jones went to go get the</p> <p>7 gun; right?</p> <p>8 Q. You tell me.</p> <p>9 What did you think?</p> <p>10 A. I thought he went to go protect</p> <p>11 children.</p> <p>12 Q. At the time the article was published,</p> <p>13 did you believe that Investigator Jones was</p> <p>14 building a case against Miss Rondini when he left</p> <p>15 the room after she mentioned the gun?</p> <p>16 A. So I believe what I reported in my</p> <p>17 story. We covered this a few hours ago. Let me</p> <p>18 go back to make sure I have the timeline correct.</p> <p>19 I believe that when he read her her</p> <p>20 Miranda rights that was evidence that he had</p> <p>21 started to investigate her for those crimes he</p> <p>22 thought she may have committed.</p> <p>23 MR. RITCHEY: Please mark this</p> <p>24 document as Plaintiffs' Exhibit 139.</p> <p>25 (Plaintiffs' Exhibit 139, a document</p>	<p style="text-align: right;">Page 212</p> <p>1 K. Baker</p> <p>2 were in the Scribner, but in retrospect and why I</p> <p>3 haven't used it since, it doesn't tell you dates</p> <p>4 or anything. I can tell you that I used it from</p> <p>5 December to, mostly from December like to</p> <p>6 February, March and then I kind of gave up using</p> <p>7 it because it didn't work that well, but that's</p> <p>8 why there is a lot of kind of confusing notes</p> <p>9 about random things.</p> <p>10 Does that make sense?</p> <p>11 Q. Yes. Let me try to get it in my mind.</p> <p>12 Are these notes that you compiled</p> <p>13 throughout your investigation concerning the</p> <p>14 article?</p> <p>15 A. Some of them -- yes. That was the</p> <p>16 intention. Some of them concerned the article.</p> <p>17 Much of it didn't make it into the article. It</p> <p>18 was really just from the beginning when I first</p> <p>19 heard about Megan Rondini and what happened with</p> <p>20 her rape complaint, I just started to use it to</p> <p>21 try and organize all the information I was</p> <p>22 researching but a lot of it didn't make it to the</p> <p>23 article which is why you can see some kind of</p> <p>24 random stuff in there and I do feel I used it more</p> <p>25 in the beginning and then as I started to write</p>
<p style="text-align: right;">Page 211</p> <p>1 K. Baker</p> <p>2 Bates stamped BuzzFeed 3857 through 4012,</p> <p>3 marked for identification, as of this date.)</p> <p>4 Q. You have been given an Exhibit 139.</p> <p>5 It is BuzzFeed 3857 through 4012.</p> <p>6 Would you just tell me what this is?</p> <p>7 A. Yes. I will try.</p> <p>8 So have you heard of the application</p> <p>9 Scribner?</p> <p>10 Q. No.</p> <p>11 A. So it is an application that people</p> <p>12 use for compiling projects. I had never used it</p> <p>13 before and to be honest, I don't think I have used</p> <p>14 it since. Journalists share things they use to</p> <p>15 organize all their research and I am going to try</p> <p>16 and describe it. It is basically -- like it is</p> <p>17 almost like having Post-its or sticky notes on the</p> <p>18 side, on the left if you are looking at the screen</p> <p>19 and you can kind of click through and you can</p> <p>20 label them facts about Megan Rondini. Facts about</p> <p>21 the hospital and then you have kind of looking at</p> <p>22 where you are writing mainly in the middle. I</p> <p>23 know this seems a bit confusing.</p> <p>24 All of this was in that Scribner when</p> <p>25 I wanted to hand over the notes I had and they</p>	<p style="text-align: right;">Page 213</p> <p>1 K. Baker</p> <p>2 the drafts and I was using Google docs and records</p> <p>3 I didn't use it as much.</p> <p>4 Q. These are notes you had upon the</p> <p>5 investigation into the --</p> <p>6 A. Yes.</p> <p>7 Q. If you will turn to 3915 in Exhibit</p> <p>8 139.</p> <p>9 A. Yes.</p> <p>10 Q. About three quarters of the way down</p> <p>11 under notes it says "I think the framing is --</p> <p>12 was it a typical case of cops, prosecutors and</p> <p>13 universities failing at woman who reported a rape</p> <p>14 or something more sinister."</p> <p>15 Is that something you wrote or is that</p> <p>16 something you found?</p> <p>17 A. This is something that Mike Rondini --</p> <p>18 a note I took while talking to Mike Rondini and I</p> <p>19 would like to elaborate if you would allow me.</p> <p>20 Q. Of course.</p> <p>21 A. When I first started this story, six</p> <p>22 months before I published it, the first person I</p> <p>23 talked to was Mike Rondini and what he told me how</p> <p>24 he saw what happened was he thought maybe there</p> <p>25 was a possibility that there might have been a</p>



<p style="text-align: right;">Page 214</p> <p>1 K. Baker</p> <p>2 coverup in some way or maybe it was more kind of a</p> <p>3 typical case like I wrote here. He wasn't sure.</p> <p>4 In his own words that's what he said to me and I</p> <p>5 was just writing down what he thought in the very</p> <p>6 beginning and you can see here that I put, this is</p> <p>7 kind of who else do I need to talk to because I</p> <p>8 hadn't talked to anyone else yet and you can also</p> <p>9 see that I wrote down the documents I wanted and I</p> <p>10 just want to read some because I think it shows</p> <p>11 how early on this was. I said full police report.</p> <p>12 Hope to get it through public records request. My</p> <p>13 coworker Alex filed. I wanted the video. I</p> <p>14 wanted the rape kit. I wanted some transcripts.</p> <p>15 I wanted the complaint. The court subpoenaed</p> <p>16 request. Drop the complaint demand letter.</p> <p>17 I think this makes it really clear</p> <p>18 this was in the very beginning based on what Mike</p> <p>19 Rondini told me but ultimately I did not write</p> <p>20 Mike Rondini's story. I wrote my own story and my</p> <p>21 story six months later did not say there was</p> <p>22 something sinister or anything like that.</p> <p>23 Q. Did you write the word framing on</p> <p>24 3915?</p> <p>25 A. I guess so.</p>	<p style="text-align: right;">Page 216</p> <p>1 K. Baker</p> <p>2 A. I have no idea. I didn't talk to</p> <p>3 them.</p> <p>4 Q. Did someone mention her name to you?</p> <p>5 Do you remember how you got the name Haley Nicks?</p> <p>6 A. I honestly do not recall who that</p> <p>7 person is.</p> <p>8 Q. And another long shot, do you remember</p> <p>9 why you put don't do Haley Nicks?</p> <p>10 A. I have no idea.</p> <p>11 Q. Then if you turn to 4012, still on</p> <p>12 Exhibit 139, you see the line where it says "She</p> <p>13 told her immediately that she was raped via text</p> <p>14 and in person right after?"</p> <p>15 A. Yes, I see that.</p> <p>16 Q. Do you know what that refers to at</p> <p>17 all?</p> <p>18 A. I don't. I use this when I am on the</p> <p>19 phone with people I type things out as I said</p> <p>20 before. It is hard for me to know now if they are</p> <p>21 my words or someone else's words what was going</p> <p>22 on. I realize this wasn't a great way to take</p> <p>23 notes and I stopped using Scribner.</p> <p>24 Q. Did you ever see a text message where</p> <p>25 Miss Rondini said she was raped?</p>
<p style="text-align: right;">Page 215</p> <p>1 K. Baker</p> <p>2 Q. What does that mean to you?</p> <p>3 A. What does framing mean to me?</p> <p>4 Q. Right.</p> <p>5 A. Do you mean like a technical</p> <p>6 definition or just like colloquially?</p> <p>7 Q. Let's do both.</p> <p>8 A. I don't know if there is a technical</p> <p>9 definition, but I think colloquially it's just</p> <p>10 like what Mike thought of the situation.</p> <p>11 Q. Why do you use the term framing to</p> <p>12 describe what Mike Rondini thought?</p> <p>13 MS. BOLGER: Objection to form.</p> <p>14 A. I have no idea. If you look at all</p> <p>15 these notes, I put a lot of weird things in here</p> <p>16 but it is just a word to me.</p> <p>17 Q. Outside of this note, does framing</p> <p>18 mean something different to you?</p> <p>19 A. I think framing just means how you</p> <p>20 think, look at something, anything.</p> <p>21 Q. If you turn over to 3917.</p> <p>22 A. Yes.</p> <p>23 Q. At the bottom it says "Don't do Haley</p> <p>24 Nicks."</p> <p>25 Who is Haley Nicks?</p>	<p style="text-align: right;">Page 217</p> <p>1 K. Baker</p> <p>2 A. I can't recall, but I would be happy</p> <p>3 to look through all the texts.</p> <p>4 MS. BOLGER: Text messages typically?</p> <p>5 MR. RITCHEY: Mm-hmm.</p> <p>6 A. I would be speculating just because</p> <p>7 there are so many texts, I just don't remember</p> <p>8 them all. She said it in text that I quoted my</p> <p>9 story but I can't recall what this is referring</p> <p>10 to.</p> <p>11 Q. I am going to go through the article a</p> <p>12 little bit so if you want to pull that up. Remind</p> <p>13 me what Exhibit that was.</p> <p>14 A. 122.</p> <p>15 Q. We will be looking at Exhibit 122 now</p> <p>16 which is the article.</p> <p>17 A. Are we done with these notes?</p> <p>18 Q. Yes. I think I am saying this right</p> <p>19 the headline on the article is How Accusing a</p> <p>20 Powerful Man of Rape Drove a College Student to</p> <p>21 Suicide. That's the title of it.</p> <p>22 What is your definition of a powerful</p> <p>23 man and how it was used in this article?</p> <p>24 A. So I don't write my own headlines.</p> <p>25 Q. Do you know who wrote this headline?</p>

<p style="text-align: right;">Page 218</p> <p>1 K. Baker</p> <p>2 A. I don't recall.</p> <p>3 Q. Is that a separate department that</p> <p>4 writes headlines?</p> <p>5 A. It would have been my editor I think</p> <p>6 but I would be speculating if I said exactly who</p> <p>7 wrote it. I mean if I said I knew exactly who</p> <p>8 wrote it.</p> <p>9 Q. Is it their job to write headlines?</p> <p>10 A. It is something that they do.</p> <p>11 Q. Were you ever consulted concerning the</p> <p>12 headline?</p> <p>13 A. I would have been able to weigh in on</p> <p>14 the process of choosing the headline. Generally I</p> <p>15 am, but I don't recall how it went in this case</p> <p>16 for this story.</p> <p>17 Q. Did you write the byline?</p> <p>18 A. The byline is my name.</p> <p>19 Q. What's the thing underneath the</p> <p>20 headline called?</p> <p>21 A. It is called a deck. The head and the</p> <p>22 deck and similarly it is the editors who are</p> <p>23 responsible for that and in general a reporter</p> <p>24 weighs in and stuff but ultimately it is up to the</p> <p>25 editors and I don't recall exactly how that</p>	<p style="text-align: right;">Page 220</p> <p>1 K. Baker</p> <p>2 as prominent. I think that there is lots of kind</p> <p>3 of -- I think the Bunnns themselves sees themselves</p> <p>4 as a prominent person.</p> <p>5 Q. At the time the article was published,</p> <p>6 what did you believe drove Miss Rondini to</p> <p>7 suicide?</p> <p>8 MS. BOLGER: Object to the form of the</p> <p>9 question. That's been asked and answered.</p> <p>10 THE WITNESS: Should I answer it</p> <p>11 again?</p> <p>12 MS. BOLGER: You can answer it again.</p> <p>13 A. I think Megan drove herself to</p> <p>14 suicide. I think she hanged herself.</p> <p>15 Q. On page 2 of the same Exhibit 122</p> <p>16 towards or at the bottom it says "Megan never</p> <p>17 imagined that she would soon be cast as a criminal</p> <p>18 or that investigators would view Sweet T, really</p> <p>19 TJ Bunn, son of an influential Tuscaloosa family</p> <p>20 as the true victim but that's exactly what</p> <p>21 happened."</p> <p>22 How do you know that Megan never</p> <p>23 imagined that she would be cast as a criminal?</p> <p>24 A. Megan didn't think that, you know when</p> <p>25 you look at the felony packet you can see that the</p>
<p style="text-align: right;">Page 219</p> <p>1 K. Baker</p> <p>2 process went here.</p> <p>3 Q. Did you believe Bunn to be a powerful</p> <p>4 man?</p> <p>5 A. I think that especially this story</p> <p>6 isn't just about the police. It is about what</p> <p>7 happened when Megan reported what she believed to</p> <p>8 be rape to the hospital and also a therapist at</p> <p>9 her university and when she reported to the</p> <p>10 university the therapist knew the name of TJ Bunn</p> <p>11 when she reported it, but two months later when</p> <p>12 Megan went to meet with her she said I can't help</p> <p>13 you because I know his family and I think that was</p> <p>14 really notable because I think anyone can imagine</p> <p>15 that would have been really difficult.</p> <p>16 So I think in that sense Megan felt</p> <p>17 that he was a powerful man given that she was</p> <p>18 trying to seek counseling and she couldn't get</p> <p>19 help because even the counselor knew who he was.</p> <p>20 Q. Did you believe that Bunn was a</p> <p>21 powerful man at publication?</p> <p>22 A. I think that in a way I just described</p> <p>23 I understood why Megan felt that he had influence</p> <p>24 and in fact Bunn's lawyer put out a statement</p> <p>25 after my story and they described their own family</p>	<p style="text-align: right;">Page 221</p> <p>1 K. Baker</p> <p>2 investigators say in the first page of text that</p> <p>3 they don't -- a sexual assault didn't occur but</p> <p>4 then they include a report where Sweet T or TJ</p> <p>5 Bunn junior is listed as the victim and Megan is</p> <p>6 listed as the suspect, and when she went to go</p> <p>7 report what she believed to be rape she thought</p> <p>8 she was reporting rape allegations. She was doing</p> <p>9 what she thought people who thought they had been</p> <p>10 raped were supposed to do and I know from</p> <p>11 interviewing her family and her friends and that</p> <p>12 she just was surprised when what happened next</p> <p>13 happened in terms of when she was telling them</p> <p>14 honestly what happened and they started</p> <p>15 investigating her during her interview about her</p> <p>16 rape allegations.</p> <p>17 Q. So the interview with her parents and</p> <p>18 family is how you were able to find out that Megan</p> <p>19 never imagined she would be soon cast as a</p> <p>20 criminal; is that right?</p> <p>21 MS. BOLGER: Objection to form.</p> <p>22 You've decided to ignore the first half of</p> <p>23 her answer.</p> <p>24 Q. I think she talks about the second</p> <p>25 part of that sentence.</p>

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1 K. Baker

2 MS. BOLGER: You can answer the

3 question, but that's not what you just

4 testified to.

5 Q. What in the felony packet did Megan

6 say that led you to believe that she never thought

7 she would be cast as a criminal?

8 MS. BOLGER: Object to the form of the

9 question. Megan didn't say anything about

10 the felony packet. You are confused. I am

11 confused.

12 MR. RITCHEY: I think we are all

13 confused. I am trying to figure out what

14 source backs that statement up.

15 MS. BOLGER: What statement?

16 MR. RITCHEY: The statement that Megan

17 never imagined that she would be soon cast

18 as a criminal.

19 A. I think --

20 MS. BOLGER: The rest of the sentence

21 or just that --

22 MR. RITCHEY: That statement.

23 MS. BOLGER: I object to that being

24 taken out of context.

25 Katie, you can answer that question.

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1 K. Baker

2 A. Obviously I couldn't interview Megan

3 because she hanged herself, but I do include some

4 of the transcripts from the interview which I

5 think speak to what you are asking. So on page 11

6 after she told the police about the gun she wrote

7 about, she said "He left as soon as I said that

8 and hasn't come back and then told me little kids

9 can shoot themselves." She wrote "I am about to

10 vomit. I hate this." And her friend wrote back

11 "Just be completely open and honest and you will

12 be okay. You didn't do anything wrong." And then

13 after that Jones comes back and says "Do you have

14 any reasoning behind what you did what you did?"

15 And she says "What do you mean?" And he says "I

16 just need you to tell me once you get into the

17 questioning what your reasoning was. Is that why

18 you did these things?" And Megan stares at Jones

19 as he reads her Miranda rights and she starts

20 crying and she says "I was never going to hurt

21 anybody with it. I got it just to protect myself,

22 but I don't eat meat. I could never kill

23 anything. Even if it came to that point I

24 wouldn't have been able to use it on a person."

25 So I think watching that interview and

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1 K. Baker

2 seeing her response in real time and her confusion

3 and fear makes it clear that she never thought

4 when she explained what happened during her

5 interview for what she thought was her rape

6 allegation, she never imagined this and I was also

7 able to interview her family and friends to also

8 use that.

9 Q. What did you mean about true victim in

10 that sentence?

11 A. In the felony packet, the felony

12 packet again, I only had the one that was supposed

13 to be Megan's rape claim. I didn't know that

14 there was a separate felony packet because Captain

15 Hood told me that the case against Megan never

16 went to a Grand Jury but he gave me the wrong

17 information. So in the felony packet that I had

18 which was ostensibly about Megan's allegations,

19 the first page of text said that, concluded that

20 no sexual assault occurred but that felony packet

21 also included the charges against Megan and they

22 listed Bunn as the victim. So that is what that

23 meant.

24 Q. Did that felony packet also list Megan

25 as a victim?

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1 K. Baker

2 A. It said, it concluded what happened in

3 her case and said no sexual assault occurred. If

4 no sexual assault occurred, then she was not the

5 victim, but in Bunn's case in the case that he

6 made against Megan just said that he was the

7 victim. It didn't say what the conclusion was. I

8 now know what the conclusion was and I now know

9 that the conclusion is that it was brought to a

10 Grand Jury after Megan's death and it was true

11 billed.

12 Q. On page 3 looking at the bottom of

13 that first paragraph on the page where it says

14 "His investigation would conclude that no rape

15 occurred but he didn't stop there. Instead he

16 started building a case against Megan questioning

17 her for multiple crimes she wasn't even aware she

18 had committed."

19 Do you see where I am?

20 A. Mm-hmm.

21 Q. Are you referring to Adam Jones in

22 that sentence?

23 A. Yes.

24 Q. What did you mean he started building

25 a case against Megan?

<p style="text-align: right;">Page 226</p> <p>1 K. Baker</p> <p>2 A. He read her her Miranda rights and</p> <p>3 started asking her questions about multiple</p> <p>4 crimes.</p> <p>5 Q. And it is your understanding that was</p> <p>6 his job to do so?</p> <p>7 A. Yes and I include again, he wouldn't</p> <p>8 talk to me even though I reached out to him</p> <p>9 repeatedly. So I had to talk to Captain Hood</p> <p>10 about him and I do include what Captain Hood said</p> <p>11 about that. I will direct you, if you don't mind,</p> <p>12 to page 17. I say "The authorities weren't just</p> <p>13 required to follow Alabama rape law Hood said,</p> <p>14 they were quote legally obligated unquote to</p> <p>15 investigate the felonies Megan admitted to</p> <p>16 committing during her interview. Her mental state</p> <p>17 at the time didn't matter nor apparently did the</p> <p>18 fact that she soon after went to the hospital and</p> <p>19 told her story to police." And then I quote Hood</p> <p>20 and I say "Although she did not realize she</p> <p>21 committed a crime does not negate the fact that</p> <p>22 she did commit the crime." So I wanted to quote</p> <p>23 Hood to make it clear what the authority's</p> <p>24 response was even though Jones wouldn't talk to me</p> <p>25 directly.</p>	<p style="text-align: right;">Page 228</p> <p>1 K. Baker</p> <p>2 made while writing this story four and a half</p> <p>3 years ago. I'm sorry.</p> <p>4 Q. Do you think that Jones should have</p> <p>5 stopped?</p> <p>6 MS. BOLGER: Object to the form of the</p> <p>7 question.</p> <p>8 A. I am not a police officer. I was just</p> <p>9 reporting on truthful and accurate facts and he is</p> <p>10 a public official and these were public records</p> <p>11 and I was explaining what happened.</p> <p>12 Q. In that next paragraph you wrote</p> <p>13 "Later when Megan tried to file a civil suit she</p> <p>14 learned the only way to escape possible</p> <p>15 prosecution for those crimes was to drop her case.</p> <p>16 How did you find that out?</p> <p>17 A. So I found that out two ways. And I</p> <p>18 go into it a bit later in the story as well. So I</p> <p>19 knew that because when she hired a lawyer for the</p> <p>20 civil suit and he reached out to the Bunn's</p> <p>21 attorney they learned that from the Bunn's</p> <p>22 attorney and also in some of those e-mails from</p> <p>23 Lieutenant Hart he kind of explained how it is</p> <p>24 going in those e-mails.</p> <p>25 Q. What do you mean?</p>
<p style="text-align: right;">Page 227</p> <p>1 K. Baker</p> <p>2 Q. Why did you not put that up here on</p> <p>3 page 3 what you just quoted to me?</p> <p>4 A. I mean it's in the story.</p> <p>5 Q. Why wasn't it put further up in the</p> <p>6 story?</p> <p>7 A. I don't recall, but I think the</p> <p>8 important thing is that it's in the story and even</p> <p>9 though Jones wouldn't talk to me it was really</p> <p>10 important for me to get the perspective in the</p> <p>11 story which is why I made sure to ask Hood about</p> <p>12 it.</p> <p>13 Q. You say "His investigation would</p> <p>14 conclude that no rape occurred, but he didn't stop</p> <p>15 there."</p> <p>16 You see where I am at?</p> <p>17 A. Yes.</p> <p>18 Q. Why wouldn't after that incidence be a</p> <p>19 good spot to tell him what Jones' job was in</p> <p>20 regards to the charges alleged against Miss</p> <p>21 Rondini?</p> <p>22 MS. BOLGER: Object to the form of the</p> <p>23 question.</p> <p>24 You can answer.</p> <p>25 A. I can't recall editorial decisions we</p>	<p style="text-align: right;">Page 229</p> <p>1 K. Baker</p> <p>2 A. I would have to have the e-mails in</p> <p>3 front of me to show them to you.</p> <p>4 Q. Are you saying in the sentence that</p> <p>5 you think the homicide unit was part of the</p> <p>6 responsibility for Miss Rondini dropping her civil</p> <p>7 suit?</p> <p>8 A. No, and this entire paragraph doesn't</p> <p>9 mention the police at all actually.</p> <p>10 Q. It doesn't mention how she learned of</p> <p>11 that either.</p> <p>12 A. Yeah, but police aren't responsible</p> <p>13 for deciding whether to prosecute.</p> <p>14 Q. Look at page 10 now and it is about</p> <p>15 five paragraphs down it starts "Megan's 3.8 GPA,</p> <p>16 it goes on to say, she didn't know they already</p> <p>17 doubted her when she went to the station for a</p> <p>18 followup interview the same morning she was</p> <p>19 discharged from the hospital even though she</p> <p>20 hadn't slept."</p> <p>21 Do you see that?</p> <p>22 A. Yes.</p> <p>23 Q. Are you referring to Adam Jones and</p> <p>24 Josh Hastings in that sentence?</p> <p>25 A. I am referring to police and police is</p>

<p style="text-align: right;">Page 230</p> <p>1 K. Baker</p> <p>2 what I wrote.</p> <p>3 Q. Who already doubted her as far as</p> <p>4 police is concerned?</p> <p>5 A. I started by institutions and I was</p> <p>6 writing about the police in this paragraph says</p> <p>7 police.</p> <p>8 Q. What backs this sentence up?</p> <p>9 MS. BOLGER: I object to the form.</p> <p>10 That's been asked and answered.</p> <p>11 You can do it again.</p> <p>12 A. If you don't mind go back to the Gary</p> <p>13 Hood. Gary Hood explained to me what a special</p> <p>14 inquiry meant. I quoted him throughout the story.</p> <p>15 So on page 10, do you mind if I read out the part</p> <p>16 about the special inquiry that Captain Hood told</p> <p>17 me?</p> <p>18 MS. BOLGER: Not if it answers the</p> <p>19 question.</p> <p>20 A. So he explained to me what special</p> <p>21 inquiries meant because I never heard that term</p> <p>22 before and he said that "It is a local law</p> <p>23 enforcement term for cases in which the victim</p> <p>24 does not know what or if anything happened or the</p> <p>25 investigators don't think the complaint meets the</p>	<p style="text-align: right;">Page 232</p> <p>1 K. Baker</p> <p>2 I am asking what do you think or did</p> <p>3 you think at the time of publication that Adam</p> <p>4 Jones or Josh Hastings doubted any part of the</p> <p>5 story that she told them?</p> <p>6 A. So I wrote that they doubted her as in</p> <p>7 Megan and Megan was reporting she had been raped</p> <p>8 and they doubted she had been raped.</p> <p>9 Q. But you don't -- I am still trying to</p> <p>10 say there is a difference between them doubting</p> <p>11 that she was raped or them doubting her story.</p> <p>12 MS. BOLGER: I object to that</p> <p>13 question. You asked that question three</p> <p>14 times. You just don't like the way she is</p> <p>15 answering.</p> <p>16 MR. RITCHEY: No. She's not answering</p> <p>17 my question.</p> <p>18 MS. BOLGER: She can answer the</p> <p>19 question again if you want.</p> <p>20 A. I believe what I wrote and I believe</p> <p>21 they doubted her.</p> <p>22 Q. Just in general?</p> <p>23 A. Yeah. I believe that they doubted her</p> <p>24 when she said that she was raped.</p> <p>25 MR. RITCHEY: Do you mind reading back</p>
<p style="text-align: right;">Page 231</p> <p>1 K. Baker</p> <p>2 criteria to be a criminal charge under state law."</p> <p>3 So you asked, me sorry. I think you</p> <p>4 said why I knew how they already doubted her;</p> <p>5 right. So they already doubted that she was raped</p> <p>6 because they labeled it as special inquiry which</p> <p>7 means that they either thought the complaint</p> <p>8 didn't meet the criteria to be a criminal charge</p> <p>9 under state law or they thought she didn't know</p> <p>10 what, if anything, happened which wasn't the case.</p> <p>11 Q. At the time the article was published</p> <p>12 do you believe Adam Jones or Josh Hastings doubted</p> <p>13 any part of Miss Rondini's story?</p> <p>14 A. I believe that they doubt she was</p> <p>15 raped.</p> <p>16 Q. But I am not asking that.</p> <p>17 I am asking did they doubt any part of</p> <p>18 her story?</p> <p>19 MS. BOLGER: She just told you.</p> <p>20 A. The part of the story was they were</p> <p>21 very clear in the documentation I reviewed that we</p> <p>22 discussed and through Captain Hood because they</p> <p>23 wouldn't talk to me that they did not think that</p> <p>24 she had been raped.</p> <p>25 Q. I understand that part.</p>	<p style="text-align: right;">Page 233</p> <p>1 K. Baker</p> <p>2 that answer?</p> <p>3 (Record read.)</p> <p>4 Q. Are you saying, I am trying to figure</p> <p>5 out a good way of saying this.</p> <p>6 Are you saying that they doubted what</p> <p>7 she told them as her story constituted the crime</p> <p>8 of rape?</p> <p>9 MS. BOLGER: Object to the form of the</p> <p>10 question.</p> <p>11 You can answer again.</p> <p>12 A. I believe what I wrote in my story and</p> <p>13 I wrote in my story that they doubted her and when</p> <p>14 I wrote that what I meant is they doubted that she</p> <p>15 was raped which is true.</p> <p>16 Q. In your mind is there a difference</p> <p>17 between what Megan told police -- in your mind is</p> <p>18 there a difference between what Megan told police</p> <p>19 and whether what she told met the elements of rape</p> <p>20 under Alabama law or are those the same thing in</p> <p>21 your mind?</p> <p>22 MS. BOLGER: So object to the form of</p> <p>23 the question.</p> <p>24 To the extent that you are linking</p> <p>25 that question to the article, Katie has told</p>



<p style="text-align: right;">Page 234</p> <p>1 K. Baker</p> <p>2 you what the article said and that she</p> <p>3 believed it. If you are asking a question</p> <p>4 separate from the article, she can answer it</p> <p>5 but it is not the same question as what's in</p> <p>6 the article.</p> <p>7 A. So I am not sure I understand your</p> <p>8 question, but Megan told the police all sorts of</p> <p>9 things. She told them her name, her birthday.</p> <p>10 She told them many, many, many things. The point</p> <p>11 is that she was making a rape allegation and at</p> <p>12 the end of the day the police concluded that she</p> <p>13 was not raped.</p> <p>14 Q. So you are not saying the officers</p> <p>15 doubted all of Megan's stories, just her claims</p> <p>16 that she was raped?</p> <p>17 A. You are asking is that my opinion</p> <p>18 separate from the story?</p> <p>19 Q. Correct.</p> <p>20 A. Yeah, I don't think that they doubted</p> <p>21 that she gave them accurate information about her</p> <p>22 birthday and her address and other elements of</p> <p>23 what she told them, but the point that my story</p> <p>24 was about what happened to Megan when she made her</p> <p>25 rape allegation and how different institutions</p>	<p style="text-align: right;">Page 236</p> <p>1 K. Baker</p> <p>2 information concerning various resistant</p> <p>3 requirement than a lawyer or attorney that does</p> <p>4 criminal defense?</p> <p>5 A. I did speak with lawyers as well as I</p> <p>6 think we discussed earlier in the day but</p> <p>7 ultimately since my story was about different</p> <p>8 institutions and one of those institutions was the</p> <p>9 Tuscaloosa Police Department. Captain Hood was</p> <p>10 speaking for the police department. I was asking</p> <p>11 him about this specific investigation and he told</p> <p>12 me specifically the holes he saw in Megan's story</p> <p>13 and why it didn't meet the criteria and I included</p> <p>14 that in my story.</p> <p>15 Q. You also talked about the District</p> <p>16 Attorney's Office in your article; correct?</p> <p>17 A. Sorry.</p> <p>18 Where are you referring to?</p> <p>19 Q. You mention Tuscaloosa District</p> <p>20 Attorney's Office throughout the article.</p> <p>21 Is that not one of the institutions</p> <p>22 you were talking about in the article?</p> <p>23 A. There is an article --</p> <p>24 Q. Why would they not be a better source</p> <p>25 for that type of question?</p>
<p style="text-align: right;">Page 235</p> <p>1 K. Baker</p> <p>2 handle that and one of those institutions was the</p> <p>3 police department and they did not believe that</p> <p>4 she was raped.</p> <p>5 Q. At the time of publication did you</p> <p>6 believe that Miss Rondini was drugged?</p> <p>7 A. There was no way for me to know that</p> <p>8 because they didn't test her blood and urine.</p> <p>9 Q. Was there any reason why you did not</p> <p>10 include a lawyer or an attorney to explain the</p> <p>11 earnest resistance requirements in Alabama?</p> <p>12 A. Who better could I have gone to</p> <p>13 explain it than the head of the police department.</p> <p>14 Q. An attorney or a lawyer?</p> <p>15 A. You think that would be better than</p> <p>16 Captain Gary Hood who runs the police department</p> <p>17 that was overseeing this investigation.</p> <p>18 Q. Do you not think so?</p> <p>19 A. I think the best person that could</p> <p>20 have explained that to me and of course I told you</p> <p>21 that I had spoken to a number of other experts,</p> <p>22 but ultimately I felt that talking to Captain Hood</p> <p>23 about it was the best person to give me that</p> <p>24 information.</p> <p>25 Q. So would you think he would have more</p>	<p style="text-align: right;">Page 237</p> <p>1 K. Baker</p> <p>2 A. I do say in the story. Hold on I will</p> <p>3 show you. That if you look ahead I think. So I</p> <p>4 do say on page 14 that the district attorney</p> <p>5 called Mike Rondini to let him know Megan's case</p> <p>6 didn't meet the legal definition of sexual assault</p> <p>7 and wouldn't be brought to a Grand Jury, but I</p> <p>8 reached out to everyone for comments and I asked</p> <p>9 them all the same questions and Captain Hood went</p> <p>10 into detail with me which I thought was great</p> <p>11 because he was speaking for the police department</p> <p>12 in my story and I think that's really great that</p> <p>13 he was able to give me that information.</p> <p>14 Q. Wouldn't a district attorney or</p> <p>15 assistant district attorney from Tuscaloosa be</p> <p>16 able to explain earnest resistance better than</p> <p>17 Captain Hood?</p> <p>18 MS. BOLGER: Objection to form.</p> <p>19 Go ahead.</p> <p>20 A. If they were willing to answer my</p> <p>21 questions I would have been happy to talk to them,</p> <p>22 but I do say that Megan's case didn't meet the</p> <p>23 legal definition of sexual assault and wouldn't be</p> <p>24 brought to a Grand Jury so I included that as</p> <p>25 well.</p>

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1 K. Baker

2 Q. On page 15 looking at third paragraph

3 from the bottom it starts out but although Megan.

4 A. Yes.

5 Q. And I am looking at the second

6 sentence says there was a catch.

7 A. Yes.

8 Q. What did you mean by that?

9 A. I think what I meant by that is clear

10 from the next sentence that says "In a package

11 deal the Grand Jury would also rule on felony

12 charges against Megan for breaking into Bunn's car

13 and stealing his gun."

14 Q. So did you think those two cases being

15 presented together was wrong? Why did you use

16 there was a catch?

17 A. I think I explained how Megan felt in

18 the next paragraph where I talk about how once the

19 Rondinis heard Megan might face felony charges

20 they decided it was best for Megan to drop the

21 civil case, withdraw early from school and go home

22 to Texas. Megan left so quickly that she didn't

23 even say goodbye to some of her closest friends.

24 Her depression and anxiety grew worse as her

25 isolation deepened.

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1 K. Baker

2 Q. Who did she learned that the criminal

3 case was back on the table from?

4 A. We went over this before I believe.

5 When she hired a lawyer for the civil case they

6 heard it from the Bunn's lawyer but there is also

7 some corroboration for this in e-mails that Kip

8 Hart, Lieutenant Kip Hart sent to the Title IX

9 coordinator. I can't remember off the top of my

10 head but I can show them to you if you want.

11 Q. Why did you not source that to the

12 Bunn attorney?

13 A. I source everything in the story and

14 it was fact checked but just for -- you don't put

15 every single reason why you found something in the

16 story.

17 Q. Why did you choose to use the Rondinis

18 voice instead of Bunn's attorney's voice in that

19 sentence?

20 A. Because I heard about it from the

21 Rondinis. Bunn's attorney would only give me a

22 short statement. He wouldn't talk to me at

23 length.

24 Q. Why did you not clarify and say that

25 the Rondinis attorney heard it from the Bunn's

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1 K. Baker

2 attorney? Why did you leave the Bunn's attorney

3 totally out of this?

4 MS. BOLGER: Objection to form.

5 She testified to that already, but go

6 ahead.

7 A. I think we just thought the relevant

8 thing was the District Attorney's Office was

9 deciding to present to the Grand Jury even though

10 the criminal case didn't go forward, it didn't

11 really matter who told who. We put it to everyone

12 we were reporting about. Gave everyone a chance

13 to clarify or comment or say that's not true. We

14 have proof that it happened but what the reader

15 needed to know was that the criminal case wasn't

16 moving forward and then the District Attorney's

17 Office decided to present it to a Grand Jury after

18 all.

19 Q. You are not clear in here stating

20 where the Rondinis learned how the criminal case

21 was back on the table.

22 You are not clear where they got that

23 information, are you?

24 A. We didn't think that it mattered where

25 they got that information. What mattered was the

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1 K. Baker

2 information was accurate.

3 MS. BOLGER: Whenever you are ready

4 with this line of questioning, let's take a

5 quick break.

6 MR. RITCHEY: We can do that. I don't

7 think I will have too much after that.

8 MS. BOLGER: Thanks.

9 (Recess taken.)

10 MR. RITCHEY: Please mark this as

11 Plaintiffs' Exhibit 140.

12 (Plaintiffs' Exhibit 140, a document

13 Bates stamped BuzzFeed 2769 through 2771,

14 marked for identification, as of this date.)

15 BY. MR. RITCHEY:

16 Q. I am showing you what has been marked

17 as Plaintiffs' Exhibit 140. It is going to be

18 BuzzFeed 2769 through 2771. I am just going to

19 ask you a question on 2769 and it is your second

20 comment and it says "I know we don't like experts

21 but they say a key part of solving rape cases and

22 sharing all the authorities work together and the

23 fact that the prosecutors have no idea what's

24 going on in their own cities seem directly relate

25 to how few cases get prosecuted."

<p style="text-align: right;">Page 242</p> <p>1 K. Baker</p> <p>2 I am just going to ask about that</p> <p>3 first part, what does it mean that we don't like</p> <p>4 experts?</p> <p>5 A. Fair question. So we were having a</p> <p>6 conversation in our newsroom editorially. The</p> <p>7 editors were having this conversation about how</p> <p>8 sometimes you will report expert quote to state</p> <p>9 something obvious when you could just say it, but</p> <p>10 you do the expert interviews and you corroborate</p> <p>11 it, but you don't necessarily have to use like a</p> <p>12 literal quote. You just do the reporting and you</p> <p>13 fact check it and you corroborate it and I was</p> <p>14 making a joke trying to be funny saying we don't</p> <p>15 like experts but I interviewed a dozen experts for</p> <p>16 this piece and sometimes there are a lot of quotes</p> <p>17 in there. Ultimately, we use them more for fact</p> <p>18 checking purposes at the end of the day.</p> <p>19 Q. Was there any reason why you didn't</p> <p>20 use experts in the article outside of those</p> <p>21 experts that touch the case?</p> <p>22 A. Aside from the experts I did use?</p> <p>23 Q. Let me rephrase.</p> <p>24 A. Are you asking why I didn't use more</p> <p>25 experts?</p>	<p style="text-align: right;">Page 244</p> <p>1 K. Baker</p> <p>2 Q. Did you personally think those experts</p> <p>3 that you interviewed were important to the story?</p> <p>4 A. Well, I think that they informed my</p> <p>5 story and my story was about institutions and I</p> <p>6 spoke with a lot of experts about those</p> <p>7 institutions and then I was able to report</p> <p>8 accurately due to all the research that I did.</p> <p>9 MR. RITCHEY: Please mark this</p> <p>10 document as Plaintiffs' Exhibit 141.</p> <p>11 (Plaintiffs' Exhibit 141, a document</p> <p>12 Bates stamped BuzzFeed 2663 through 2664,</p> <p>13 marked for identification, as of this date.)</p> <p>14 Q. You are being shown what has been</p> <p>15 marked as Plaintiffs' Exhibit 141. It is BuzzFeed</p> <p>16 2663 through 2664. This of course is -- let me</p> <p>17 ask you this first.</p> <p>18 Do you recognize Exhibit 141?</p> <p>19 A. This is from that really, really,</p> <p>20 really early draft over four months before my</p> <p>21 final article.</p> <p>22 Q. In here in and this corresponds with</p> <p>23 comments 179 and 180 on BuzzFeed 3842.</p> <p>24 A. I think I can see what it relates to.</p> <p>25 Does it relate to that sentence like it is</p>
<p style="text-align: right;">Page 243</p> <p>1 K. Baker</p> <p>2 Q. You said you interviewed a ton of</p> <p>3 experts in this investigation. It seems like the</p> <p>4 only, and I guess you called them experts, that</p> <p>5 you actually sourced in the piece were those that</p> <p>6 were involved within the investigation or involved</p> <p>7 with some part of the Rondini story, not a</p> <p>8 third-party investigator that had nothing to do --</p> <p>9 I'm sorry. A third-party expert that had nothing</p> <p>10 to do or had any involvement with the</p> <p>11 investigation at all; is that right?</p> <p>12 A. I refer to the IACP guidelines but I</p> <p>13 think ultimately it is an editorial decision. It</p> <p>14 was not my decision.</p> <p>15 Q. Whose decision was that concerning the</p> <p>16 articles?</p> <p>17 A. My editors were Tina and Marisa. So I</p> <p>18 don't recall exactly who decided what, but I don't</p> <p>19 really think it matters that much because I</p> <p>20 interviewed those experts and I interviewed them,</p> <p>21 for months I interviewed probably over a dozen</p> <p>22 experts.</p> <p>23 So the fact is that I spoke with them</p> <p>24 all and I understood all the information I needed</p> <p>25 to understand.</p>	<p style="text-align: right;">Page 245</p> <p>1 K. Baker</p> <p>2 Marisa's comment and then my sentence or is there</p> <p>3 more I have to look at?</p> <p>4 Q. No. It's just right there. If you</p> <p>5 need context in the draft article, let me know and</p> <p>6 I will --</p> <p>7 A. Sorry.</p> <p>8 Q. So you see where Marisa Carroll writes</p> <p>9 "Reads more like what you would see at the end of</p> <p>10 a straight news story."</p> <p>11 A. I see that she said that.</p> <p>12 Q. Does that mean anything to you a</p> <p>13 straight news story?</p> <p>14 A. No.</p> <p>15 MS. BOLGER: Object to the form of the</p> <p>16 question.</p> <p>17 A. I didn't write this comment.</p> <p>18 Q. Do you remember how you interpreted</p> <p>19 straight news story?</p> <p>20 A. No. I don't remember this comment at</p> <p>21 all.</p> <p>22 Q. Just in general, what would a straight</p> <p>23 news story be?</p> <p>24 MS. BOLGER: From Marisa Carroll?</p> <p>25 MR. RITCHEY: No, just to Katie.</p>

<p style="text-align: right;">Page 246</p> <p>1 K. Baker</p> <p>2 A. I don't know.</p> <p>3 MR. RITCHEY: Please mark this as</p> <p>4 Plaintiffs' Exhibit 142.</p> <p>5 (Plaintiffs' Exhibit 142, a document</p> <p>6 Bates stamped BuzzFeed 1967 through 1974,</p> <p>7 marked for identification, as of this date.)</p> <p>8 Q. Showing you what has been marked as</p> <p>9 Plaintiffs' Exhibit 142. It is BuzzFeed 1967</p> <p>10 through 1974.</p> <p>11 Can you tell me what Exhibit 142 is?</p> <p>12 A. I can't without -- it is an interview</p> <p>13 I did. I would guess who it is with, but I would</p> <p>14 be guessing without more context.</p> <p>15 Q. Would it be with Angelo?</p> <p>16 A. It would either be with Angelo or</p> <p>17 Curtis because I spoke with two of them and it</p> <p>18 looks like because of the large amounts of</p> <p>19 information that's redacted, that it was a lot of</p> <p>20 it was concerning a confidential source that's not</p> <p>21 in the story.</p> <p>22 Q. Do you remember when this interview</p> <p>23 took place?</p> <p>24 A. I don't.</p> <p>25 Q. And at the time of this interview, did</p>	<p style="text-align: right;">Page 248</p> <p>1 K. Baker</p> <p>2 A. I don't quote him in the story and a</p> <p>3 lot of this interview I am not even sure was about</p> <p>4 anything related to the story. So much of it is</p> <p>5 redacted. It seems like a lot of it was</p> <p>6 pertaining to my confidential source.</p> <p>7 Q. I believe there were some e-mails that</p> <p>8 were produced when you were reaching out to the</p> <p>9 IACP?</p> <p>10 A. Yes.</p> <p>11 Q. Do you remember any conversations you</p> <p>12 had with any of the representatives of IACP?</p> <p>13 A. I do. His name is in the e-mails. I</p> <p>14 don't recall it off of top of my head, but he</p> <p>15 called me on the phone and I spoke with him about</p> <p>16 how I wanted to -- there is a few parts in the</p> <p>17 story where I quote the IACP guidelines because I</p> <p>18 wanted to make a point for readers and not just</p> <p>19 have his voice in there and I wanted to make sure</p> <p>20 I fully understood the IACP's perspective on some</p> <p>21 elements of the case and the easiest way for me to</p> <p>22 remember the key things I talked to about him was</p> <p>23 by looking at what's in the story referring to the</p> <p>24 IACP.</p> <p>25 Q. But other than what's in the story, do</p>
<p style="text-align: right;">Page 247</p> <p>1 K. Baker</p> <p>2 you know this person's qualifications?</p> <p>3 A. Did I know the person's</p> <p>4 qualifications? If it was Angelo Delamana, then</p> <p>5 yes.</p> <p>6 Q. Did you know if this person had ever</p> <p>7 investigated a sexual assault or rape?</p> <p>8 A. I wasn't asking him about whether he</p> <p>9 had ever investigated a sexual assault. It says</p> <p>10 "Researching toxicology talks analyses conducted</p> <p>11 relative to DFSA." And I was asking him about his</p> <p>12 analytical perspective and that's what he was</p> <p>13 giving to me.</p> <p>14 Q. Did you know if this person had ever</p> <p>15 investigated sexual assault or rape?</p> <p>16 MS. BOLGER: Objection to form.</p> <p>17 A. That's not his job.</p> <p>18 Q. Did you ever note this person was in</p> <p>19 law enforcement?</p> <p>20 A. I can't recall Angelo Delamana, his</p> <p>21 full bio at this point four and a half years</p> <p>22 later, but I was trying to speak with him in his</p> <p>23 capacity at the toxicology lab about toxicology.</p> <p>24 Q. Is this just a transcription of an</p> <p>25 interview?</p>	<p style="text-align: right;">Page 249</p> <p>1 K. Baker</p> <p>2 you remember anything else y'all discussed?</p> <p>3 A. Because it was four and a half years</p> <p>4 ago I don't, but I know it was related to how I</p> <p>5 refer to the IACP in the story.</p> <p>6 Q. Have you ever spoken to or e-mailed</p> <p>7 Stephanie Taylor?</p> <p>8 A. Is that the Stephanie Taylor who used</p> <p>9 to be a reporter for the Tuscaloosa News but now</p> <p>10 works for the police department?</p> <p>11 Q. That's right.</p> <p>12 A. I haven't spoken to her I don't think.</p> <p>13 Q. Did you read Stephanie Taylor's</p> <p>14 article published in the Tuscaloosa News</p> <p>15 concerning the Rondini investigation?</p> <p>16 A. I did at the time, but I haven't read</p> <p>17 it since.</p> <p>18 Q. Do you remember what she thought about</p> <p>19 it?</p> <p>20 A. Honestly, I thought it was very -- her</p> <p>21 stories were very different. I was reporting on</p> <p>22 the police investigation. My story was about</p> <p>23 Megan and what happened when she reported her rape</p> <p>24 not just to the police but the different</p> <p>25 institutions, the hospital, the mental health</p>

<p style="text-align: right;">Page 250</p> <p>1 K. Baker</p> <p>2 counselor at the university and everything that</p> <p>3 happened after that. In terms of the part that</p> <p>4 refer to the police I was focusing on the</p> <p>5 investigation what the police knew and what they</p> <p>6 considered when they decided that Megan Rondini's</p> <p>7 claim did not meet the elements of rape and I</p> <p>8 think Stephanie's story was more just like a full</p> <p>9 timeline, but I honestly don't recall the details.</p> <p>10 Q. Could you have produced the source</p> <p>11 materials surrounding the Rondini investigation in</p> <p>12 the same manner that Stephanie Taylor did?</p> <p>13 MS. BOLGER: Object to the form of the</p> <p>14 question.</p> <p>15 What do you mean produced?</p> <p>16 Q. As in put it on the website or linked</p> <p>17 to it.</p> <p>18 MS. BOLGER: If she could have written</p> <p>19 Stephanie Taylor's story?</p> <p>20 MR. RITCHEY: No. I'm asking if she</p> <p>21 could have put a source material like</p> <p>22 Stephanie Taylor did out on the BuzzFeed</p> <p>23 website or link to it from the story.</p> <p>24 A. I would be speculating because I wrote</p> <p>25 the story that I wrote and made the decisions I</p>	<p style="text-align: right;">Page 252</p> <p>1 K. Baker</p> <p>2 judgment and we use it.</p> <p>3 Q. Was anything preventing you from</p> <p>4 posting the full video or uploading the full video</p> <p>5 where you could link to it?</p> <p>6 MS. BOLGER: Objection to form.</p> <p>7 What video?</p> <p>8 MR. RITCHEY: The video we just</p> <p>9 referenced, the July 2, 2015 interview of</p> <p>10 Miss Rondini.</p> <p>11 A. I think I just have to answer the same</p> <p>12 way I just did which is that as a journalist it is</p> <p>13 not my protocol to just produce everything that I</p> <p>14 cover during the course of an investigation. My</p> <p>15 job as a journalist is to report stories that are</p> <p>16 in the public interest truthfully and accurately</p> <p>17 and I am proud of the work that I did and I think</p> <p>18 the story stands as I wrote it.</p> <p>19 Q. I get that, but if you wanted to post</p> <p>20 the full videos nothing was preventing you from</p> <p>21 doing so?</p> <p>22 MS. BOLGER: Objection to form.</p> <p>23 That's the fourth time you asked the</p> <p>24 question.</p> <p>25 You can answer it.</p>
<p style="text-align: right;">Page 251</p> <p>1 K. Baker</p> <p>2 made with my editors.</p> <p>3 Q. But nothing was stopping you from</p> <p>4 linking all the source material that you gathered</p> <p>5 to the article?</p> <p>6 MS. BOLGER: Objection to form. I</p> <p>7 don't think that's what she said, but you</p> <p>8 can answer.</p> <p>9 A. I think that my story reports</p> <p>10 truthful, accurate facts and I am really proud of</p> <p>11 my story and I think that my story as it stands is</p> <p>12 what I wrote.</p> <p>13 Q. Let me ask you this specifically then.</p> <p>14 The audio/video recording of Megan</p> <p>15 Rondini's interview on July 2, 2015, the full</p> <p>16 recording, could you have uploaded that and linked</p> <p>17 that to your article?</p> <p>18 A. I think I already answered this</p> <p>19 question, but I am happy to say what I said before</p> <p>20 again which is that if I was to put everything I</p> <p>21 came across in the course of reporting this story</p> <p>22 it would not be legible to a reader. I think the</p> <p>23 role of a journalist is to report on</p> <p>24 (indecipherable) the public interest and to write</p> <p>25 truthfully and accurately. We have an editorial</p>	<p style="text-align: right;">Page 253</p> <p>1 K. Baker</p> <p>2 A. Was something physically preventing</p> <p>3 me?</p> <p>4 Q. Yes.</p> <p>5 A. No, but I can tell you why I didn't.</p> <p>6 As I said, if I was to produce everything that I</p> <p>7 had in the course of my investigation it wouldn't</p> <p>8 have been legible for a reader.</p> <p>9 Q. Do you know if anyone from the</p> <p>10 Tuscaloosa News -- I'm sorry.</p> <p>11 Do you know if anyone from BuzzFeed</p> <p>12 ever wrote to the Tuscaloosa News concerning the</p> <p>13 Tuscaloosa News' article of the Rondini</p> <p>14 investigation?</p> <p>15 A. I don't know.</p> <p>16 Q. Do you ever e-mail anyone from</p> <p>17 Tuscaloosa News?</p> <p>18 A. In general or about Stephanie Taylor's</p> <p>19 article?</p> <p>20 Q. Concerning Stephanie Taylor's article.</p> <p>21 MS. BOLGER: Why would you do that?</p> <p>22 MR. RITCHEY: I am just asking.</p> <p>23 A. I believe in the First Amendment and</p> <p>24 freedom of speech and people should be able to</p> <p>25 write whatever they want I think unless -- I</p>



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1 K. Baker

2 missed the fact that she wrote a story that was

3 different than mine.

4 MR. RITCHEY: Give me a few minutes.

5 (Recess taken.)

6 BY MR. RITCHEY:

7 Q. I just have one more.

8 Did you ever speak with any former

9 Tuscaloosa county law enforcement officer or

10 agents concerning the Rondini investigation?

11 A. Not that I recall.

12 Q. Other than those discussed today and

13 mentioned in the article, did you speak to any

14 other current Tuscaloosa county law enforcement

15 officers or agents?

16 A. In the beginning of my reporting when

17 I was trying to find out some information about

18 like basic practices and statistics, I think Alex

19 Campbell or I called a few times to get basic

20 information, but I am not sure who I spoke to.

21 Q. Have you ever spoken to a Donald

22 Watkins?

23 A. No, I don't think so.

24 Q. I think that's all I've got.

25 (Continued on the next page.)

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1 K. Baker

2 MS. BOLGER: Thank you very much.

3 (Time Noted: 4:45 p.m.)

4

5

6 KATIE BAKER

7

8 Subscribed and sworn to before me

9 this day of , 2021.

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12 (Notary Public) My Commission Expires:

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1

2 C E R T I F I C A T E

3 STATE OF NEW YORK )

: ss.

4 COUNTY OF NEW YORK )

5 I, LYNNE D. METZ, a Shorthand Reporter

6 and a Notary Public within and for the State of

7 New York, do hereby certify that the foregoing

8 deposition of KATIE BAKER was taken before me on

9 the 23rd day of July, 2021;

10 That the said witness was duly sworn

11 before the commencement of her testimony; that the

12 said testimony was taken stenographically by me

13 and then transcribed.

14 I further certify that I am not

15 related by blood or marriage to any of the parties

16 to this action or interested directly or

17 indirectly in the matter in controversy; nor am I

18 in the employ of any of the counsel in this


19 action.

20 IN WITNESS WHEREOF, I have hereunto

21 set my hand this 25th day of July, 2021.

22

23

24 

25 LYNNE D. METZ

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1

2 July 23, 2021

3

4 I N D E X

5 WITNESS EXAMINATION BY PAGE

6 KATIE BAKER MR. RITCHEY 4

7

8 ----- INFORMATION REQUESTS -----

9 DIRECTIONS (DI): 110, 139

10 INSERT: None

11 RULINGS (RL): None

12 REQUESTS (RQ): None

13 CERTIFIED (CE): None

14 MOTIONS (MO): None

15

16 E X H I B I T S

17 Plaintiffs' Exhibits For ID

18 Exhibit 122, a printed out article 81

19 Exhibit 123, a document Bates Stamped 163

20 BuzzFeed 60 to 61

21 Exhibit 124, a document Bates stamped 163

22 BuzzFeed 56 through 57

23 Exhibit 125, a document Bates stamped 175

24 BuzzFeed 4165 through 4190

25 Exhibit 126, a document Bates stamped 181

<p style="text-align: right;">Page 258</p> <p>1</p> <p>2 BuzzFeed 4151 through 4155</p> <p>3 Exhibit 127, a document Bates stamped 182</p> <p>4 BuzzFeed 92 through 95</p> <p>5 Exhibit 128, a document Bates stamped 183</p> <p>6 BuzzFeed 2495 through 2500</p> <p>7 Exhibit 129, a document Bates stamped 185</p> <p>8 BuzzFeed 2602</p> <p>9 Exhibit 130, a document Bates stamped 186</p> <p>10 BuzzFeed 2570</p> <p>11 Exhibit 131, a document Bates stamped 188</p> <p>12 BuzzFeed 2622</p> <p>13 Exhibit 132, a document Bates stamped 188</p> <p>14 BuzzFeed 3826 through 3843</p> <p>15 Exhibit 133, a document Bates stamped 190</p> <p>16 BuzzFeed 3313 through 3314</p> <p>17 Exhibit 134, a document Bates stamped 193</p> <p>18 BuzzFeed 509 to 519</p> <p>19 Exhibit 135, a document Bates stamped 201</p> <p>20 BuzzFeed 2475 through 2477</p> <p>21 Exhibit 136, a document Bates stamped 203</p> <p>22 BuzzFeed 3719</p> <p>23 Exhibit 137, a document Bates stamped 204</p> <p>24 BuzzFeed 3202 through 3205</p> <p>25 Exhibit 138, a document Bates stamped 204</p>	<p style="text-align: right;">Page 260</p> <p>1 To: KATHERINE M. BOLGER, ESQ.</p> <p>2 Re: Signature of Deponent Katie Baker</p> <p>3 Date Errata due back at our offices: 8/29/2021</p> <p>4</p> <p>5 Greetings:</p> <p>6 This deposition has been requested for read and sign by the deponent. It is the deponent's responsibility to review the transcript, noting any changes or corrections on the attached PDF Errata. The deponent may fill out the Errata electronically or print and fill out manually.</p> <p>7</p> <p>8 Once the Errata is signed by the deponent and notarized, please mail it to the offices of Veritext (below).</p> <p>9</p> <p>10 When the signed Errata is returned to us, we will seal and forward to the taking attorney to file with the original transcript. We will also send copies of the Errata to all ordering parties.</p> <p>11</p> <p>12 If the signed Errata is not returned within the time above, the original transcript may be filed with the court without the signature of the deponent.</p> <p>13</p> <p>14 Please Email the completed errata/witness cert page to readandsign@veritext.com</p> <p>15 or mail to</p> <p>16 Veritext Production Facility</p> <p>17 2031 Shady Crest Drive</p> <p>18 Hoover, AL 35216</p> <p>19 205-397-2397</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 259</p> <p>1</p> <p>2 BuzzFeed 3783 through 3793</p> <p>3 Exhibit 139, a document Bates stamped 210</p> <p>4 BuzzFeed 3857 through 4012</p> <p>5 Exhibit 140, a document Bates stamped 241</p> <p>6 BuzzFeed 2769 through 2771</p> <p>7 Exhibit 141, a document Bates stamped 244</p> <p>8 BuzzFeed 2663 through 2664</p> <p>9 Exhibit 142, a document Bates stamped 246</p> <p>10 BuzzFeed 1967 through 1974</p> <p>11 (Exhibits retained by the court reporter.)</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 261</p> <p>1 ERRATA for ASSIGNMENT #4710428</p> <p>2 I, the undersigned, do hereby certify that I have read the transcript of my testimony, and that</p> <p>3</p> <p>4 ___ There are no changes noted.</p> <p>5 ___ The following changes are noted:</p> <p>6</p> <p>7 Pursuant to Civil Procedure, Rule 30. ALA. CODE § 5-30(e) (2017). Rule 30(e) states any changes in form or substance which you desire to make to your testimony shall be entered upon the deposition with a statement of the reasons given for making them. To assist you in making any such corrections, please use the form below. If additional pages are necessary, please furnish same and attach.</p> <p>8</p> <p>9</p> <p>10</p> <p>11 Page ___ Line ___ Change _____</p> <p>12 _____</p> <p>13 Reason for change _____</p> <p>14 Page ___ Line ___ Change _____</p> <p>15 _____</p> <p>16 Reason for change _____</p> <p>17 Page ___ Line ___ Change _____</p> <p>18 _____</p> <p>19 Reason for change _____</p> <p>20 Page ___ Line ___ Change _____</p> <p>21 _____</p> <p>22 Reason for change _____</p> <p>23 Page ___ Line ___ Change _____</p> <p>24 _____</p> <p>25</p>

<p style="text-align: right;">Page 262</p> <p>1 Page _____ Line _____ Change _____</p> <p>2 _____</p> <p>3 Reason for change _____</p> <p>4 Page _____ Line _____ Change _____</p> <p>5 _____</p> <p>6 Reason for change _____</p> <p>7 Page _____ Line _____ Change _____</p> <p>8 _____</p> <p>9 Reason for change _____</p> <p>10 Page _____ Line _____ Change _____</p> <p>11 _____</p> <p>12 Reason for change _____</p> <p>13 Page _____ Line _____ Change _____</p> <p>14 _____</p> <p>15 Reason for change _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p style="text-align: center;">DEPONENT'S SIGNATURE</p> <p>19 _____</p> <p>Sworn to and subscribed before me this ____ day of</p> <p>20 _____, _____.</p> <p>21 _____</p> <p>22 _____</p> <p>23 NOTARY PUBLIC / My Commission Expires: _____</p> <p>24 _____</p> <p>25 _____</p>	

[&amp; - 2769]

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<b>&amp;</b>	<b>132</b> 188:6,7,16,18 189:22 258:13	<b>186</b> 258:9	<b>2018</b> 17:5
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<b>1</b>	<b>136</b> 203:5,6,10 258:21	<b>1967</b> 246:6,9 259:10	<b>204</b> 258:23,25
<b>1 11:19 14:10 76:18</b> 146:20 196:24	<b>137</b> 204:5,6,14,16 205:10 258:23	<b>1974</b> 246:6,10 259:10	<b>205-397-2397</b> 260:23
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<b>11 223:5</b>	<b>14</b> 237:4	<b>1:45</b> 160:3	<b>21st</b> 196:7 197:3
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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS  
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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